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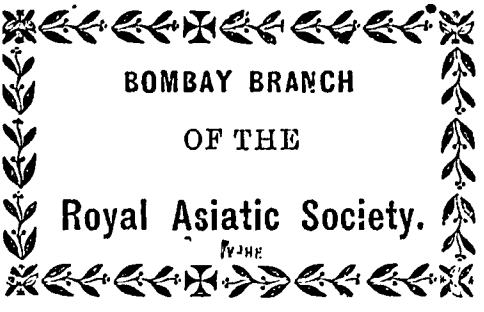

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THE

HISTORY OF SCOTLAND

FROM AGRICOLA'S INVASION TO THE REVOLUTION OF 1688

35141

BY

JOHN HILL BURTON

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THE conclusion of the league was to England a sort of clearing of the decks for action. A great blow had long been impending, and now the time had come when it was to fall.

For nearly twenty years the Scots people had now been so busy in making their own history in their own

internal troubles and tendencies, that few seemed to remember the existence in distant captivity of that queen who, while she lived among them, so filled the ear of fame by her character and conduct as scarce to leave room for any other element of national history. The small remnant of the party that had held out for her down to 1572, had been gradually thinned by death, and they had virtually no successors. Yet her historical career was not over. In the land of her imprisonment she became a power—and a very formidable power. Among the emissaries concerned in her plots there were doubtless a few Scotsmen—chiefly ecclesiastics of her own Church. But they were isolated agents, doing business for powers and combinations out of their own country; and their performances—busy as some of them doubtless were—do not come up on the surface of political councils and events in Scotland.

The plots in which the Bishop of Ross was concerned with the Italian were the last in which Queen Mary and her own realm of Scotland were both immediately concerned. All the others touched Queen Elizabeth and England. Doubtless, had any of them succeeded, Scotland would have participated in the results; but that did not bring them closer home to Scotland as national history, than any other possible revolutions or disasters that might have come on England. When her abode was finally destined to be in England, she carried with her to her new home the troubles and political excitement which attended her presence wherever she went. She thus ceased to belong, except casually, to the history of Scotland, and fell to be dealt with by those occupying a wider

field as the historians either of England or of Britain at large.[1]

When her captivity in England had just begun, and it was yet in the uncertain future whether it was to be a brief seclusion, or to last as it did to the end of her days, we have seen that she kept up her old favourite pastime of besieging the male human heart. She was ready to abandon Bothwell as a necessary condition for achieving a victory over Norfolk. Perhaps there was a new and exciting sensation in spreading nets for a lover who had never met her face to face, and could not see her during the wooing. And in the messages she was enabled to convey to him, through the difficulties in the way, there are touches likely, as they were slowly deciphered, to excite the mind of one who received them from a queen—and a queen whose history had been so full of marvellous incidents. Indeed, if they be correctly deciphered, her love-letters to "my Norfolk" have even some faint harmony with the letters in the casket.[2]

[1] When the text of this portion of the history of Scotland was written, nearly two years ago, the author could only express an expectation that the accomplished gentleman who had undertaken the weighty task of writing the history of England for this period would do all that might be necessary for giving expression to the share held in it by the fugitive Queen of Scotland. It is needless, in the presence of an admiring public, to say how amply that expectation has been fulfilled.

[2] For instance: "Therefore, when you say you will be to me as I will, then shall you remain mine own good lord, and as you subscribed once, with God's grace; and I will remain yours faithfully, as I have promised. And in that condition I took the diamond from my Lord Boyd, which I shall keep unseen about my neck till I give it again to the owner of it and me both. I am bold with you because you put all to my choice; and let me hear some comfortable answer again, that I may be sure you will mistrust me no more. And that you will not forget your own, nor have anything to bend you from her; for I am

The Norfolk romance was extinguished on the scaffold. There yet remained to its heroine, however, some glimpses into that world of love-intrigue which was gradually closing for her. Leicester was spoken of; so was that other who so strangely shared with him the favours and hopes of the great arbitress over all—the Duke of Anjou, one of the two brothers on whom Queen Elizabeth heaped so much motley flirtation. There were a few others equally ineligible. One was George Carey, related to Queen Elizabeth on the Boleyn side, and therefore an adventurer ready to accept whatever prize fortune might cast in his path. The heir of the house of Hamilton was among those named for the promotion; so was another, of totally different character and position—Charles V.'s

resolved that well nor woe shall never remove me from you if you cast me not away. And if I am suspected by you meaning so truly, have I not cause to be sorry and suspicious? Judge yourself what you see so far, that it is time to you to run another course, I had failed to you; and yet if you be in the wrong, I will submit me to you for so writing, and ask you pardon thereof. But that fault I could not forbear for very joy. Now Huntingdon goes up. Beware of him; he loves neither you nor me."—December 1569; Labanoff, iii. 5. "I pray you, my good lord, trust none that shall say that I ever mind to leave you, nor do anything that may displease you, for I have determined never to offend you, but to remain yours; and though I should never buy it so dear, I think all well bestowed for your friendly dealings with me undeserved. So I remain yours till death, according to my faith and dutiful promise. I look for goodwill and constancy again; so I pray God, as I do daily, to save you from all our enemies."—Ibid., 12. "You have promised to be mine and I yours; I believe the Queen of England and country should like of it. By means of friends, therefore, you have sought your liberty and satisfaction of your conscience, meaning that you promised me you could not leave me. If you think the danger great, do as you think best, and let me know what you please that I should do; for I will ever be perpetual prisoner, or put my life in peril for your weal and mine. As you please command me, for I will for all the world follow your commands, so that you be not in danger for me in so doing."—Ibid., 19.

illegitimate son, Don John of Austria, the renowned champion of Christendom.

But these things of necessity came to an end. Match-making is one of the cheerful hopeful occupations of open day, and does not easily fit itself into assassination plots and deep-laid conspiracies for the overturn of empires. Except to the dark spirits deeply working in such matters, the captive queen was a person forgotten. Yet it was in her isolation that she found work for herself, leaving in its traces still the most powerful testimony to the energy of her character and the fertility of her resources. Despite of every effort to isolate her, she continued able to touch such wires as could stir or shake the states of Europe.

She did so much else that it seemed to fill all her time, and leave her none for plotting. She worked much in embroidery, and wrote many letters. Her ostensible correspondence throughout her prison life ran in appeals to her rival, either directly or through the chief English statesmen. Though they may be said ever to be harping on the same key, there is so much passionate eloquence in these letters — they appeal so vehemently to the justice, the mercy, the good faith, the Christian feeling of her enemy—that they are read with keen interest, like those romances in which the actors pour themselves forth in imaginary correspondence.[1]

[1] A specimen of these letters is here taken from one less known than the others, since it has even escaped the sweeping researches of Prince Labanoff: "Ha, madame, respectez votre honneur plus que la malice de mes enemis, votre sang plus que les menteries de mes rebelles, votre promise faveur plus que le supçon qui est vice à un prince, principalement quand c'est contre ceux qui ont fait telle preuve de sincère intention vers eux, comme j'ai fait preuve à vous, m'etant mise en votre pouvoir si librement. Or, maintenant je vous adjourerai pour l'amour

At other times her wailings take another and a less dignified tone. It is that of a spirit utterly broken and humbled. There is no anger, no reproaching, no longings for liberty. Submission is all she thinks of —to please and satisfy the arbitress of her lot is now the sole object of her enfeebled existence, if she knew but how to please and propitiate her. When we come to passages of this kind, we are pretty sure to find that they are contemporaneous with the most desperate projects of her scattered champions.

There is one letter to Elizabeth in which she comes forth in another spirit. It is neither that of the suppliant nor the martyr, but of the fierce enemy, using, and with terrible effect, the only weapon fate has left her. It is calumny pointed with sarcasm. As a specimen of vituperative irony, it may be counted a fair parallel to the casket letters as specimens of the impassioned and despairing. One could imagine the author of 'Candide' acknowledging in it the work of a kindred spirit. Pope, when he believes he will make Sporus tremble, rises to something like the same height of sarcastic vituperation. It describes horrible deformities in the moral nature which are denied activ-

de Dieu, pour la pitié de mes longues troubles, pour notre parentage, pour la fiance mise en vous, pour votre honneur, pour le respect dû à une semblable, pour le requête d'une affligée, pour votre promise faveur, pour l'amour des rois vos voisins mes alliés, et enfin pour l'amour de votre bon naturel et de vous même, à qui je suis plus proche qu'à nul autre, de mettre fin à mes longs ennuis. Vous assurant de moi mieux que par prison, assurez vous, je dis, de ma volonté, gagnant la cœur. Car par prison vous n'aurez que le corps, qui ne vous peut tant nuire, que m'ayant cœur et corps je vous puis servir. Je ne vous serais point ingrate amie ne dénaturelle sœur, et peut-être quelque jour mon amitié ne vous sera inutile." The end is: "Priant Dieu, madame ma bonne sœur, vous donner santé, longue et heureuse vie."—Chéruel, Marié Stuart et Catherine de Médicis, 56.

ity by deformities in the physical structure. All is told in the spirit of exasperating compassion, for it is not her own story—she but repeats the malignant charges of the Countess of Shrewsbury; and thus she hits two enemies—the greater and the less—with one blow.

The picture she created of sensuality working for its gratification through craft and cruelty, might remind one of the scandals about the Empress Messalina; but it is more individual and distinct in its story. The imputations of personal vices and personal defects would now be counted a revolting specimen of the literature of its age; but it is skilfully shaded off by allusions to defects more innocent but scarcely less humiliating and stinging, since they were defects palpable to the courtiers gathered round the queen, and a suspicion of their existence cannot have been entirely absent from herself. The theme is the egregious extent of her vanity, her unappeasable appetite for flattery, which the most monstrous and ludicrous exaggerations cannot satiate. No tale of amorous devotion to her charms can fail of acceptance—even that Mary's own son, the youth of eighteen, would be subdued by them if political considerations suggested a union with the heir of both thrones. She was so resplendently beautiful that those who stood face to face with her shaded their eyes as if they looked upon the sun; and when farces were played among the frequenters of the Castle of Sheffield, representing the ludicrous scenes excited by her weaknesses—as they sometimes were—she, Queen Mary, shocked by the indecorums so offered to the person of a sister queen, did her best to suppress them.[1]

[1] The genuineness of this letter was naturally often doubted, until

This letter was not a mere petulant outbreak, the creation of feminine caprice. It was the utterance of actual rage, having a real foundation in bitter disappointment and hatred. The letter was written towards the end of 1584, just after all that she had lost and all that she fancied she had lost by the failure of the association scheme. Then nearer home she had a bitter quarrel with Lady Shrewsbury, the wife of her custodier. On this occasion the poor captive had reason all too good for indignation. The lady had taken a jealous fit, and accused the captive of seducing her lord. The accusation was made in a form so real that the question of possible offspring was discussed. From this affair she came forth clear of taint, and she was entitled to indulge in any amount of virtuous indignation that such slanders should ever have been uttered.

A few months later she wrote another letter to Queen Elizabeth. It was inspired by irritation and anger from a fountain perhaps bitterer still, but not so capable of irritating and angering the receiver. It poured out her malediction on her son, who had outraged the laws of filial obedience and incurred the wrath of God. Foremost among the incitements to her fury at this time was, that her son was clearly committed to the heretic party; but that she could not well bewail to Queen Elizabeth with any hope of

it was settled by the zealous Prince Labanoff. He tells us that "c'est une très belle lettre autographe," and proceeds: "Je l'ai examinée et collationée l'année dernière dans la précieuse collection de M. le Marquis de Salisbury, désignée sous le nom de 'Cecil Papers;' et je suis intimement convaincu qu'elle a été écrite en entier de la main de Marié Stuart."—Vol. vi, 56. Another doubt—whether the letter was permitted to find its way into Queen Elizabeth's hands—may still be held as unsettled.

sympathy. Even in what she did discharge in denunciations and threats against her undutiful offspring, her anger had overcome her prudence. She writes like the parent who, in a fit of irritation about an imprudent marriage or some other offence against parental views, communicates to his confidential friend his designs of condign punishment by disinheritance. In one sense such a threat by the parent holding his private property at his own disposal was more serious than Queen Mary's, because to a certainty it could be exercised if persisted in. Yet, like all acts of rage or folly by people in high places, her threat to disinherit her son afforded matter of alarming anticipation only too seriously realised. She would commit her rights to those who would be strong enough to hold them. It might be a vain threat, so far as it could affect the constitutional disposal of the crown, either of England or of Scotland, but it was sufficient to create a world of mischief.[1]

Besides the greater injuries denounced in her appeals, there was throughout her correspondence much querulous criticism on the fashion in which her cruel and unjust imprisonment was carried out—the sordidness of the appointments, and the rudeness of the atten-

[1] Several passages in this strange letter will reward attentive study. She puts the supposition: "Si je persiste à loui donner pour jamais ma malédiction, et le priver, autant q'il sera en moy, de tout bien et grandeur que, par moy, il peut prétendre; ny en Escosse ny ailleurs." And the conclusion is: "Je ne doubte point, pour en avoir preuve, qu'en la Chrestienté je ne trouve assez d'héritiers qui auront les ongles assez fortz pour retenir ce que je leur mettray en mayn." It is curious to connect this, so like a casual ebullition of feminine irritation, with the story of the Spanish Armada. Another denunciation is brief and emphatic: "Je luy osteray, avec le bon droit, la protection de Dieu, qui ne sçauroit, contre sa promesse favoriser à la fin telle impiété et injustice."—Labanoff, vi. 136, 137.

dants. As we have seen, the first place of residence or of imprisonment found for her after her flight from Scotland was Bolton, in Yorkshire. When the rebellion of the north broke out, she was considered here to be dangerously near it, and she was taken to Tutbury, in Staffordshire, the old fortress of the Lords of Lancaster. There she remained on this occasion but a few months. Her next destination was Chatsworth, in Derbyshire, a place noted for its magnificence in the present day. But the place of permanent detention must depend on the person who was to undertake the charge. That person was, we may believe, not to be easily found. Something of the old popular prejudice against the office of the jailer would pursue him, and yet it was necessary that he should be a man of rank and a statesman. The onerous duty was laid on Lord Shrewsbury. Chatsworth was a possession of the countess, but the chief residence of the Earl of Shrewsbury was Sheffield Castle, and thither Queen Mary was removed before the end of the year 1570. This was originally a castle or fortress; but there had been added to it vast buildings in the Tudor style, with pleasure-grounds and wide areas of forest, or, as it came to be termed, park. In the native country of which she was sovereign, Queen Mary could find no residence so magnificent and luxurious as her prison at Sheffield. Other places, as connected with her arrival in England and with her end, are oftener associated with Mary Queen of Scots than Sheffield is; but here she remained for fourteen years, full twice the period of her abode as queen in Scotland. There cannot be much doubt that, had she composed her mind to reside here in peace, her rival would have gladly compounded to

let her have comfort, enjoyment, and state. But she accepted the fortunes of war in preference to a life of dull repose. In 1585 it was necessary to remove her elsewhere. Wingfield, not far from Sheffield, was tried as a prison—for that was now to be literally the nature of her abode. It was not, however, sufficiently strong, and she was again conveyed to the dreary fortified mansion of Tutbury. Here only, in all the places of her detention, there seems to have been reasonable ground for complaint that the place was comfortless and unhealthy. It is the more difficult to know how far she had to endure real hardships here, as throughout she complained of unnecessary afflictions attending on her imprisonment. They assumed the most sordid shape—defective food and raiment, bad furniture, and neglected and decaying buildings,—all of them defects curable by money, and thus all of them the fruit of penuriousness and cruel meanness. Thrift was the great material feature of Elizabeth's Government. It was the praise on some occasions, but on others it was the scandal. Hence when parsimony was named, the charge was likely to receive a hearing. Yet of all charges made by prisoners against their jailer it is apt to be the most fallacious. It is the prisoner's natural retaliation—his most effective instrument for injury to the restrainer of his liberty. That he is in prison may be matter of political or legal necessity; but that while there he is starved and kept in rags and dirt is the personal act of his jailer; and his temper being soured and irritated by bondage, he attributes this additional suffering to greed or personal malice.

All our incidental knowledge on the entertainment and appointments of the captive queen leads to the

inference that they were on a liberal and costly scale.[1] If she lacked in anything, she had her own dowry as Dowager of France. The amount of this fund has been estimated at thirty thousand pounds a-year—that is to say, if realised in the gold coin of the day, the whole would weigh as much as thirty thousand sovereigns of our present coinage. But it is not capable of a precise estimate, since it was made up in great measure of the rents of seigneuries and other feudal rights, which could be made over to the dependants for whom she intended the proceeds, without being paid to herself. We can see, however, that the whole was on the scale of a State revenue rather than a private fortune; and her instructions to her "chancellor" and other high officers about its collection and disposal were after the fashion of State papers.[2] She paid her secretary Nau, and some others about her, from this source. It was not, however, her policy to let the money come in any considerable proportion to

[1] In the removal to Chartley in 1585, it is a question whether eighty or a hundred carts will be necessary to carry her own and her attendants' luggage (Froude, xii. 217). From accounts, whether old or modern, it is difficult to ascertain with precision how far the inmates of a dwelling have been made comfortable. We are told this, however, by one who had a large bundle of such accounts in his hands, and was better able perhaps than any other man to interpret them: "From these accounts it will be seen, that whatever charges may be brought against Queen Elizabeth in respect of her treatment of her unfortunate cousin, that of illiberality—at least during the latter period of her captivity—cannot be sustained. There was evidently a considerable train of household officers kept up, their entertainment was ample, and the whole establishment was probably better than any which Mary had had since leaving France."—John Bruce, preface to 'Accounts and Papers relating to Mary Queen of Scots," p. x.

[2] See "Declaration de mon intention sur la response qui a esté faicte aux instructions de Sieur du Vergier mon chancelier, et auctres poincts concernant les affaires de mon douaire."—Labanoff, iv. 138.

England. It was far more convenient that those employed in her political schemes should draw upon it at its source in France.

To return to Tutbury. Before the winter set in she was removed to the neighbouring mansion of Chartley. It was here that the trap was laid in which she was caught. The place was open and accessible. Communication with her allies outside was naturally easy, and it was rather helped than interrupted, in order that a complete sweep might be made of the whole organisation. Such methods of detecting crime, or protecting governments from danger, have ever been distasteful to the public mind in Britain. It is believed that, like all secret operations, it may serve the purpose of personal enmity, and may strike the innocent as well as the guilty. Apart, however, from the large question whether the general policy of the English Government towards Queen Mary was just, it is clear that in this case the trap was not encumbered by the defects that are apt to ensnare the innocent, and that it caught the right victim. One of the chief reproaches of such an expedient is, that but for the temptation laid in the way, the innocent but weak victim would not have fallen from rectitude; but here there was no question about falling from rectitude. What Mary was about was what she was determined to do if she could. Far from being a sin overtaking her in a moment of temptation, it was a grand duty to which she was urged by the highest sanctions of policy and religion. Nor was she the unsophisticated political enthusiast lured by the deeper traitor to go beyond the bounds of fair political warfare and dip in treason. There was no seduction into Walsingham's trap. It was skilfully

laid, but no one could have fallen into it who had not determined to tread the path that led across it.

There were still to be three shiftings of abode in the short span of life remaining to her. She was taken to Tixall that Tutbury might be the more conveniently searched, and when the evidence to be found there was completed she was brought back. Her last removal was to Northamptonshire, where she was committed to the old Norman keep of Fotheringhay, ever memorable as the scene of the concluding tragedy of her tragic career.

Never has disputed point in history been subject to closer and more skilful scrutiny than Queen Mary's share in the great conspiracies brought to the light of day in the year 1586. There are some questions which historical evidence is not powerful enough to complete to the satisfaction of devotees. The one great point on which the justice of putting Queen Mary to death is held to turn—her own part in the conspiracy to put Elizabeth to death—is in this position. If we suppose a certain cipher to have been forged by Walsingham's instruments, then the charge has not been proved.

Before that was done which could not be recalled, the probable shape of its acceptance elsewhere had to be considered. Granted that it was clearly for the interests of England that the Queen of Scots should die, yet those very interests required also the weighing of possible dangers from without. France was the natural champion of the fallen queen. The ancient league was not yet dead; and in the diplomatic doctrine of France, Mary was the sovereign whom it bound the ruler of France to assist in difficulties.

But her party there—the Guises—were losing hold of their power, and indeed drifting to destruction. This Queen Elizabeth knew, and she set the French ambassador at scornful defiance when he put anything like a threat into his tone of remonstrance against putting Queen Mary to death. Then as to Spain, mighty preparations were in progress there; but there was no risk of any sudden blow from that quarter—the preparations would go on though Queen Mary lived; and if Philip were influenced by rational political considerations, the removal from the world of her who was the object of all might induce him to drop his project of invasion. Elizabeth's wise counsellors predicted, with an accuracy which was justified by the conclusion, how Scotland would take the event; and as to King James, how he might act does not appear to have been deemed material. He could not be supposed to have any deep affection for the mother whom he had last seen when he was not quite a year old. But the deed to be done was no less an injury and insult to his royal house; and a young man with any touch of the heroic or the chivalrous in his nature, placed as he was, might have taken a course very troublesome to a constitutional government.

He acted just as the spoilt boy who has got his hold on some glittering valuables, and is put in terror that some one may take them from him. He would do nothing to risk his chances of England. He knew, indeed, that his mother would sweep both crowns out of his reach if she could place them on the head of a sound champion of the old Church. He mumbled his sordid discontents on this point to Courcelles, the French ambassador. She had already by her plots

put his prospects at risk. She must drink that which she had brewed; and he wished she would meddle with nothing but her prayers and serving God.

For very decency it was necessary that he should say something. He had as ambassadors at the English Court Archibald Douglas and Sir William Keith. They had conferences with Elizabeth herself and her advisers. We have not their instructions; but if they were a little warm in interceding, they do not appear to have ever threatened; and a short letter sent to them by King James, desiring them to "spare no pains nor plainness," says nothing that would justify them in using a threat.[1]

In the interval between the pronouncing of the sentence on the 25th of October 1586, and its execution on the 8th of February 1587, the Master of Gray and Sir Robert Melville were sent on a special mission to Queen Elizabeth. Their instructions are in the mildest of tones, as if drawn with vigilant care to avoid aught that might be construed into a threat. She is solicited to reflect that her victim, "a sovereign princess, and in all degrees of the best blood in Europe, has been by subjects judged, yea, in life and title,—a dangerous precedent for all princes, and without any approved example in any age or kingdom." Queen Elizabeth is besought to remember what effect a fatal conclusion would have upon her character for gentleness—"what a blemish it would be to her reputation to descend so far from her accustomed clemency and natural mildness of her sex as to imbrue herself into her own blood." It is suggested that the king's

[1] Principal Robertson, Appendix, xlix. l.; Murdin's State Papers, 569 *et seq.*

mother might be kept in comfortable seclusion somewhere abroad, under assurances that she would cease to trouble England, or, in the phraseology applied to humbler persons, on finding security to keep the peace.[1]

Such account as we have of the conferences under these instructions, forms a startling contrast to the smooth monotonous flow of diplomatic negotiations of the conventional kind. The Master thus tells the story of an interview with the Queen of England; and as Sir Robert Melville was present, and might have contradicted it if it were necessary or proper to do so, we may count that it is on the whole accurate :—

"The 9th day we sent to Court to crave audience, which we got the 10th day. At the first she said, 'A thing long looked for should be welcome when it comes; I would now see your master's offers.' I answered, 'No man makes offers but for some cause; we would, and like your majesty, first know the cause to be extant for which we offer, and likewise that it be extant till your majesty has heard us.' 'I think it be extant yet, but I will not promise for an hour; but you think to shift in that sort.' I answered, 'We mind not to shift, but to offer from our sovereign all things that with reason may be; and in special we offered as is set down in our general;' all was refused, and thought nothing. She called on the three that were in the house, the Earl of Leicester, my lord admiral, and chamberlain, and very despitefully repeated all our offers in presence of them all. I opened the last part, and said, 'Madam, for what respect is it that men deal against your person or estate for her

[1] "Instructions by King James to the Master of Gray and Sir Robert Melville;" Papers regarding Master of Gray, 120-25.

cause?' She answered, 'Because they think she shall succeed to me, and for that she is a Papist.' 'Appearingly,' said I, 'both the causes may be removed;' she said she would be glad to understand it. 'If, madam,' said I, 'all that she has of right of succession were in the king our sovereign's person, were not all hope of Papists removed?' She answered, 'I hope so.' 'Then, madam, I think the queen his mother shall willingly demit all her rights in his person.' She answered, 'She hath no right, for she is declared *un habil.*' 'Then,' I said, 'if she have no right, appearingly the hope ceases already, so that it is not to be feared that any man attempt for her.' The queen answered, 'But the Papists allow not our declaration.' 'Then let it fall,' says I, 'in the king's person by her assignation.' The Earl of Leicester answered, 'She is a prisoner, and how can she demit?' I answered, 'The demission is to her son, by the advice of all the friends she has in Europe; and in case, as God forbid, that any attempt cuts the queen here away, who shall party with her to prove the demission or assignation to be ineffectual, her son being opposite party, and having all the princes her friends for him, having bonded for the efficacy of it with his majesty of before?' The queen made as she could not comprehend my meaning, and Sir Robert opened the matter again; yet she made as though she understood not. So the Earl of Leicester answered that our meaning was, 'that the king should be put in his mother's place.' 'Is it so?' the queen answered; 'then I put myself in a worse case than of before: by God's passion! that were to cut my own throat; and for a duchy or an earldom to yourself, you or such as you would cause

some of your desperate knaves kill me. No, by God! he shall never be in that place.' I answered, 'He craves nothing of your majesty, but only of his mother.' The Earl of Leicester answered, 'That were to make him party to the queen my mistress.' I said, 'He will be far more party if he be in her place through her death.' She would stay no longer, but said she would not have a worse in his mother's place, and said, 'Tell your king what good I have done for him in holding the crown on his head since he was born; and that I mind to keep the league that now stands between us, and if he break it shall be a double fault;' and with this minded to have bidden us farewell, but we achieved (*i.e.*, finished arguing upon this point). And I spake, craving of her that her life may be spared for fifteen days; she refused. Sir Robert craved for only eight days; she said, 'Not for an hour;' and so geid her away."[1]

The long succession of public and secret events which led to the bloody end, when laid open in full before us, reveal in their larger features two women engaged in a struggle in which one or the other must fall. They were driven to this by a destiny not entirely the making of either. Had Elizabeth sent the fugitive back to her own country, it would have been sending her to the scaffold. Had Queen Mary abandoned the world and its politics, the opportunity might have been given for her abiding in England in a retirement becoming a fallen monarch. From the moment,

[1] Principal Robertson's History, Appendix, l. The editor of the 'Letters and Papers relating to Patrick, Master of Gray,' conscious that there was a laxity in the rendering of such documents in Principal Robertson's day, wished to print this remarkable paper from the original in the Warrender Collection, but found that it had been lost.

however, when she set foot on English soil, she was so beset by dreams of superseding her rival, that she could not conceal them from those around. She never ratified the treaty which withdrew her claim on the crown of England. With that claim she bargained among foreign potentates, like a spendthrift trying to raise money on his prospects of succession, and finally she left it as a legacy to Philip of Spain. If she was not guilty of any share in the conspiracies of Babington and others, no one was ever the victim of such unfortunate conjunctions of circumstances. It was hard, no doubt, but so it was, that one or the other must die. Pressure from without made it impossible that they should spare each other. To Queen Elizabeth the appeals were not only for her own life, but the throne of her ancestors, the freedom of England, and the safety of the Protestant Church. A beautiful queen, a captive and a victim to a cruel rival, was the cynosure of all chivalry, for whom there would be endless conspiracies. Her cause, too, was that of the holy Church which had adopted her, and passed the injunction that she must be counted innocent. That she should die seemed the hard doom of fate, as in some Greek tragedy when a sacrifice must be made to appease the angry gods and save a people from ruin.

In the manner in which each acted her part before the world there was a powerful contrast. For the clumsy, cunning, and brazen mendacity with which her triumphant rival concluded the scene, no one has any palliation. Apart from all higher questions of truth and honesty, it was an outrage on good taste, and also on good sense, for it was unsuccessful. The practical appeal of "thou canst not say I did it" was

made in vain, and even the persecution of poor Secretary Davison was wasted. One ray of goodness is there in the whole dark scene, but it is one that does not brighten up the chief actress. The courtiers came through a sore trial without substantial reproach. One then living made a monarch say, "It is the curse of kings to be attended by slaves who take their humours for a warrant to break into the bloody house of life." If this was a general truth of the period, Elizabeth did not find such slaves; and her unfruitful hints —hints which approach solicitation—are creditable to the honourable feeling of those about her.

There exists, as one of the foulest blots on English history, that terrible letter by Walsingham and Davison to Paulet and Drury—a letter believed in by successive authors, from Sir Harris Nicolas, who gave it publicity, to the latest historian of the period. It tells how, from remarks recently made by her majesty, "she doth note in you both a lack of that care and zeal for her service that she looketh for at your hands, in that you have not in all this time—of yourselves without other provocation—found out some way of shortening the life of the Scots queen, considering the great peril she is hourly subject to so long as the said queen shall live;"—they knew how unwilling their mistress was to shed blood, and "had shown a lack of love towards her of strange sort, seeing what ground they had for the satisfaction of their consciences towards God."

Sir Amyas Paulet was a surly jailer. He acted somewhat the part of enemy to his captive, whether because he really recoiled from her as a criminal, or desired to fortify himself against her witcheries. But neither he nor Drury chose to undertake the work thus

marked out to them. For the reputation of Walsingham and Davison, too, there is the partial refuge that they were the mere channels communicating their mistress's desire—a desire they were themselves incapable of perpetrating. But if these are withdrawn from the guilty circle, what is to be said for the illustrious queen left there alone?[1]

As for the victim, no martyr conscious of a life of unsullied purity ever met her fate with greater dignity. The Church she belonged to was one that could undertake to clear off a balance of crime. She did her expiation with a noble simplicity. For many years she had submitted quietly to restraints and humiliations, rather as one who was in that shape raising herself above her persecutor, than from weakness or servility.

She was through all her later years the placid, dutiful child of the Church. If she conspired, it was because

[1] There is a letter from Queen Elizabeth herself to Paulet susceptible of an ominous meaning. It has been repeatedly printed, and appears to have been collated with the original by Froude (xii. 260): "Amyas, my most faithful and careful servant, God reward thee treblefold for thy most troublesome charge so well discharged. If you knew, my Amyas, how kindly, besides dutifully, my grateful heart accepteth and praiseth your spotless actions, your wise orders, and safe regards, performed in so dangerous and crafty a charge, it would ease your travails and rejoice your heart. In which I charge you, carry this most just thought, that I cannot balance in any weight of my judgment the value that I prize you at, and suppose no treasure to contravail such a faith; and shall condemn myself in that fault which yet I never committed if I reward not such deserts. Yea, let me lack when I most need if I acknowledge not such a merit with a reward."

Expressions so much at variance with their author's usual style of composition are apt to recall to the students of Shakespeare how King John hinted his desires about Prince Arthur:—

> "Come hither, Hubert. O my gentle Hubert,
> We owe thee much; within this wall of flesh
> There is a soul counts thee her creditor,
> And with advantage means to pay thy love."

the Church called on her to mix her destinies with its glorious triumph over heresy and schism. Ardent devotee as she was, however, of the old Church, we do not find that individual priests had much influence over her. Her intercourse with her favourite the Bishop of Ross was of a purely secular kind, and the two understood each other in matters of this world. We hear nothing except officially of her confessor, or of her seeking the confessional. Denying to her the services of a priest commissioned to afford her the consolations of her own religion, and endeavouring to obtrude on her the abominated services of a heretic, will remain in history as one of the minor cruelties committed under the influence of religious zeal. But perhaps the infliction was not so keen as some suppose. She had done her expiation, and the Church would see that it was effectual. That Church had in its plenary powers means for rectifying errors. If, as it is asserted, she had in her possession the element for the viaticum specially consecrated by the Pope, she had a plenary protection against all that the malice of her enemies could effect by the denial of a living confessor.

When the "mistake" so much deplored by Queen Elizabeth had been committed, she did her best to show the honours of royalty to the anointed queen who could no longer trouble her. The pageant of a magnificent funeral was performed, and its performance was duly reported as a State ceremony. We are told that the body was conveyed on Sunday the 30th of July from Fotheringhay to the Cathedral Church of Peterborough by garter king-at-arms and four heralds, attended by forty horsemen, "having for that purpose brought a

royal coach drawn by four horses, and covered with black velvet richly set forth with escutcheons of the arms of Scotland, and little penons round about it." We are told how, "The body, being enclosed in lead and the same coffined in wood, was brought down and reverently put into the coach, at which time the heralds put on their coats of arms, and bareheaded, with torches light, brought the same furth of the castle."[1] The Countess of Bedford led the ceremonials at the cathedral as chief mourner, where, in the presence-chamber, hung with black cloth, "she was by the queen's majesty's gentlemen ushers placed somewhat under a cloth of estate of purple velvet, where having given to the great officers their staves of office—viz., to the lord stewart, lord chamberlain, the treasurer, and comptroller—she took her way into the great hall where the corpse stood." Then there is the marshalling of a procession, beginning, "Two conductors in black, with black staves; poor women mourners to the number of a hundred, two and two; the standard of Scotland, borne by Sir George Saville, knight." She was laid in a vault beside the tomb of Catherine of Aragon, the repudiated wife of King Henry.[2]

It has been so often repeated in history as to be taken generally for granted, that the execution of Queen Mary excited universal indignation throughout Scotland. There is no evidence for this, nor is there any for another often-repeated assertion which naturally leads to it as cause to effect—the assertion that

[1] "A Remembrance of the Order and Manner of the Burial of Mary Queen of Scots;" Archæologia, i. 155.

[2] Ibid.

there had been during Queen Mary's ill-usage a general reaction in her favour. Whatever change of sentiment there may have been was undoubtedly in the other direction. Only in the strange escapade of Grange and Lethington was there any indication that those who were against her when she signed her abdication had gone over to her side. Her partisans, a feeble minority, had been dropping into the grave, and their cause was not of the kind that gains recruits. No doubt, of her old, faithful, and assured partisans, many there were to whom her death was an event full of bitterness and grief. But for the bulk of the nation to demand that she should be succoured, or, when that had become impossible, avenged, would have been to quarrel with Elizabeth for doing in her own quarrel what they would have done in theirs had the opportunity fallen to them.

Indifference to her fate, if it might not even be called approval, was shown by one portion of the community in a shape that seemed indecorous and ungenerous. Those concerned give this version of the affair: "The king commanded the ministers to pray publicly in the kirks after sermon for his mother. They refused to do it in the manner he would have it to be done—that is, by condemning directly or indirectly the proceedings of the Queen of England and their Estate against her, or as for one innocent of the crime laid to her charge."[1] No doubt they could plead the stern rules of their Church against the commands of man; but had their hearts been with the victim, they would have found a method of so expressing themselves. Their zeal showed itself entirely in the other

[1] Calderwood, iv. 606.

direction. The king arranged that Archbishop Adamson should fill the pulpit of St Giles's Church to perform the desired devotions. When the king himself went to attend on the service, he found that his opponents had been too nimble for him, and had placed Mr John Cowper, a stern member of their own order, in the place of ministerial power. The king ordered him to descend and give place to the bishop. "Mr John gave place, but uttered his miscontent in these words, 'That he would make an accompt one day to the great Judge of the world for such dealing.'" This act, indeed, in the eyes of Mr John's party, was a far more serious outrage than the death of the modern Jezebel. The king afterwards made a floundering apology for the act: "That he was sorry for that which had fallen some few days before touching the discharge of their preacher, protesting he did it of no evil mind, and that he would always favour the ministry and the religion presently professed. He said he was of that mind that none of his subjects would blame him for his affection which he carried to his mother, which moved him to do that which he did. But the charge he had given to the ministers was to pray to God to enlighten her with the knowledge of the truth, but also that the sentence pronounced against her might not take place. Always the people were satisfied with this excuse."[1]

Some members of the Estates held a meeting to encourage and instruct the ambassadors sent to intercede with the Queen of England; but it was not counted a Parliament, and there is no reference to their proceedings in the public Acts of the day. This

[1] Calderwood, iv. 606, 607.

was the only public movement in her favour; and after the tragedy was completed, it may be said that the only vengeance taken for it was against the Master of Gray, who was said to have been punished on certain ostensible charges, because he was secretly believed to have furthered instead of endeavouring to stay her execution. The Borderers, expecting a possible dispute between the two countries, were on the alert to catch any opportunity for pursuing their old trade; and as they had collected in bodies here and there, they did not separate without mischief. Such were all the political portents that in the poor victim's own country attended a tragedy that was to appal the civilised world in its own day, and live in perpetual memory in literature.[1] The one event

[1] Among the manuscripts in the Rolls House there is an account of a scene not referred to elsewhere, so far as I am aware, and so totally out of harmony with all other testimonies as to the prevailing tone in Scotland at this juncture, that I can only copy it from the original without comment. It is in a letter addressed to Walsingham by Robert Carvell or Carell, called in Thomas's 'Historical Notes' a "captain at Berwick." It is dated on 3d August 1587, and the scene it describes is referred to as occurring at a meeting of the Estates on the 26th of July: "The Lord Chancellor made ane oration in the presence of the king and his nobilitie touchinge a revenge for the death of the quene; and then and there all the lords (upon their knees) which weare there present made a solemne vow that they would always be readie to ayd and assist hym both with the hasard of lands, lives, and goods, whensoever his majestie shold command them in that action. But for maintenance of the Gospel and the mynestry there is no provision made."

Mr Tytler, on the assumption that there was throughout the country "a desire to attack England and avenge the death of Mary," gives the following paraphrase of this passage: "So deep was this feeling, that Thirlstane, now raised to the high office of chancellor, in closing the Parliament, made a stirring appeal to the assembled Estates; and such was the impression of his eloquence, that the nobles, in a transport of pity and enthusiasm, threw themselves upon their knees before the king, and amid the clang of their weapons and imprecations against Elizabeth, took a vow that they would hazard their lives and fortunes in the quarrel."—Vol. ix. 14.

in which her conduct in some measure influenced her own country, because the one which involved England in the greatest peril, did not happen until after her death—it was the Spanish Armada. The faith, bigotry, or by whatever other name we call that prevailing mental phenomenon for which Philip of Spain was conspicuous, told him, as an absolute destiny for the world, that the true Church was to prevail, and destroy the enemies which by the divine will had been permitted for a time to rebel against it. It was his ambition to be the earthly leader in that divine retribution. It was not, however, in his nature to be active. Perhaps he thought events would be ruled into a concurrence which would tell him when to come forth, and he would then decide all with an overwhelming power that would extinguish strife, as a powerful monarch deals with his turbulent subjects. But now an impulse was given in an appeal to his chivalry.

Among the State secrets that had transpired, with that dubiety hanging about it which such secrets often retain, one was about a will by Queen Mary found among her papers at Chartley, with matter of so dangerous a kind in it that Queen Elizabeth burnt it with her own hand. It contained a bequest of her claim on the sovereignty of England and Scotland in favour of Philip II. of Spain, with a desire that he should come and take possession. Two of her servants, Elizabeth Curl and Jane Kennedy, said that she had commissioned them verbally to intimate this bequest to the King of Spain. The form in which he accepted of it was, that he was to press on his preparations for an invasion of England; and when he had succeeded in subduing the whole island, and

bringing it under the spiritual authority of the Church, he was, if he should find King James still obstinate in his heresy, to take possession of the prize, and hold the British Isles as part of his own dominions.

When, eighteen months after the execution of Queen Mary, the Armada entered the Channel, all rumours about the advance of the mighty armament were anxiously listened to in Scotland. The interest there was such as all nations feel when a close neighbour is threatened with some convulsion or imminent peril.

There was a cordial understanding between the two Governments that they should make common cause, and all was ready in Scotland for summoning the feudal array. How far King James was influenced by hints or promises of the English succession, how far he was merely playing a part in professing to serve England and the Protestant cause, are questions that have given rise to much discussion and conjecture. They are, however, of secondary moment, since the occasion was one of those which in a constitutional country carry political points with a power stronger than that of the Court. There was, as we shall have occasion to see, a Papal power concentred in the north, and ready to act if it could with any chance of success; but the national strength was on the other side, and was overwhelming. In one district only was there a distinct symptom of a rising against the popular side. The Lord Maxwell, for all that he had helped in the late revolution, was a loser by it, as the earldom of Morton, which he believed he had fairly won, fell to the heir of the regent by the revocation of the forfeiture of the family. Maxwell belonged to the old religion. It became perceptible that he was

arming, and the king marched at the head of a force and seized him. His office of warden of the western marches was given to his feudal enemy the Laird of Johnston.

The Presbyterian clergy were in a state of intense activity, holding numerous meetings and passing resolutions. The band or covenant of 1581 was renewed and signed all over the land, receiving in many instances the names of unwilling subscribers. A survey or census was taken of the amount of Popery still in Scotland: it brought out alarming results in the north-eastern district under the influence of the Gordons. A general fast was appointed for the purpose of averting the sufferings and dangers of the land from the following causes: "The universal conspiracies of the enemies of the truth against Christ's Kirk, to put in execution the bloody determination of the Council of Trent. 2. The flocking home of Jesuits and Papists to subvert the Kirk within this country. 3. The defection of a great number from the truth. 4. The conspiracies intended against the same by great men, entertainers of Jesuits and Papists. 5. The coldness of professors. 6. The wreck of the patrimony of the Kirk, abundance of bloodshed, adulteries, incest, and all kinds of iniquity." [1]

There was a fear that, although destined for England, the Spanish fleet might be compelled by the exigencies of navigation to discharge its living freight on some part of the coast of Scotland, where no effective resistance could be made to the force that might be thrown into the country. Such a fear was indeed in harmony with the character of the expedition, the

[1] Calderwood, iv. 676.

nature of which was to set in motion a vast power uncontrolled by the capacity to direct its blows against any particular point, if indeed it was to strike at all. The fervid exultation of England on the disasters which befell the expedition is natural; but historical experience shows that it had in it no secure material element of success. Invasions in which bodies of men had been landed, had only crossed narrow seas with oared galleys drawing a slight depth of water. These required no harbourage, but could be beached on the open shore.[1] The vast floating masses, too great to be handled by the seamanship of the day, were literally trusted to the caprices of the sea; and it would seem as if the fanatical monarch had carried his fatalism to the last, as a grand test of the question whether or not he was the accepted regenerator of Christendom. He had created out of the riches of his country the material elements, and he trusted to the Power that is above all to direct them to a successful issue.

There were others equally prepared to see the guiding finger of the Deity expressly directing the destiny of the expedition, and these had the justification of success to support them. They had the satisfaction to behold fragments of the great vessels scattered here and there on the coast of Scotland, and as far north as the Orkney Islands. James Melville gives a lively account of an incident in these disasters which happened at his own door.

[1] Napoleon, when he threatened England in 1803, imitated this old and almost forgotten method; and his doing so is the strongest evidence that he was serious. Had he brought his troops over in vessels, all the harbours of the English coast opposite to France would have been insufficient to accommodate them. He therefore built rafts with bulwarks, which were to be towed over and beached.

He refers to the tremors and apprehensions of his friends, and then to their confidence after prayer and conference—a confidence well justified: "And in very deed, as we knew certainly soon after, the Lord of armies, who rides upon the wings of the winds—the keeper of His own Israel—was in the mean time convoying that monstrous navy about our coasts, and directing their hulks and galiats to the islands, rocks, and sands, whereupon He had destinate their wrack and destruction. For within twa or three months thereafter, early in the morning, by break of day, ane of our baillies came to my bedside, saying, but not with affray, 'I have to tell you news, sir. There is arrived within our harbour this morning ane ship full of Spanyards, but not to give mercy but to ask.'" The commander was allowed to land and make his explanations, but the men were required to remain on board until persons in authority could be consulted on an event of so unusual a kind in the burgh of Anstruther. Meanwhile Melville continues: "Up I got with diligence, and assembling the honest men of the town, came to the tolbooth; and after consultation taken to hear them, and what answer to make, there presents us a very reverend man of big stature, and grave and stout countenance, grey bearded and very humble like, after meikle and very low courtesy, bowing down with his face near the ground and touching my shoe with his hand, began his harangue in the Spanish tongue, whereof I understood the substance; and being about to answer in Latin, he having only a young man with him to be his interpreter, [the young man] began and told it over again in good English." He was Jan Gomez de Medina, general of twenty hulks, and his

ship had been wrecked on the Fair Isle, between the Orkney Isles and the mainland, where, after great hardships, they got a vessel to carry them along the coast. The old sea-captain, in telling the object of the expedition, said nothing about religion, but referred all to the exasperating piracies of the English. In this, whether he knew it or not, he touched a sympathetic chord; for the seaports of Scotland, and especially of Fifeshire, had bitterly complained of the same evil, and at that time the Court of England was adjusting the amount of compensation to the sufferers. Melville was kind to the stranger, but not without some boastfulness about returning good for evil. He assured him, that "whereas our people, resorting among them in peaceable and lawful affairs of merchandise, were violently taken and cast in prison, their goods and gear confiscated, and their bodies committed to the cruel flaming fire for the cause of religion, they should find nothing among us but Christian pity and works of mercy and alms, leaving to God to work in their hearts concerning religion as it pleased Him."

The conclusion of this little incident is beautified by fine touches of tenderness and good feeling. The Spaniard was yet ignorant that the calamity went beyond his own ship, until one day when Melville brought him a news-sheet from St Andrews, "with the names of the principal men, and how they were used in Ireland and our Highlands, in Wales and other parts of England; the whilk when I recorded to Jan Gomez by particular and special names—oh then he cried out for grief, bursted and grat. This Jan Gomez showed great kindness to a ship of our town whilk he found arrested at Calais at his home-coming, rade to Court for her,

and made great ruse of Scotland to his king; took the honest men to his house, and inquired for the Laird of Anstruther, for the minister and his host, and sent home many commendations. But we thanked God in our hearts that we had seen them among us in that form."[1]

After completing this local sketch, the next entries that the Fifeshire clergyman has to make in his Diary spread farther afield, but connect themselves with the wreck of the Armada, as marching on to the fulfilment of the world's destiny in the destruction of Antichrist and the triumph of the true Church:—

"That 88 year was also most notable for the death of the Queen-Mother of France, Catherine de Medicis —bloody Jezebel to the saints of God, who then was called to her recompense. As also the maist remarkable wark of God's justice in repaying the twa chief executors of that horrible carnage and massacre of Paris, making first King Henry to cause his guard stick the Duke of Guise under trust, with the Cardinal of Lorain; and syne a Jacobin friar—of that order whilk the king did maist for—maist treasonably to stick the king: the Lord working by maist wicked instruments maist wisely and justly."[2]

With such events to ponder over and bring home to their own conduct and destiny, it is not wonderful that the Melville party in Scotland should deem themselves the chosen instruments, who were to be swept forward on the wings of success to their ultimate triumph.

While news of events so astounding came one after the other from without, the inward life of the country

[1] Diary, 261-64. [2] Ibid., 264.

was of a character unusually placid. King James reached his full age of twenty-one on the 19th of June — a little more than four months after his mother's execution. He made preparation for this auspicious event by a very innocent and picturesque experiment in his favourite science of kingcraft. The various feudal houses in Scotland were involved in a maze of quarrels, some political, others religious; but the bitterest and least curable were the family feuds that had come down from generation to generation. The young king resolved with one happy wave of his enchanter's wand to put an end to all this strife, and inaugurate the reign of peace on earth. All were entertained together at a banquet in Holyrood House. They were then coupled two and two by the test of their hatreds, so that each might hold his chief enemy by the hand; and thus they marched along the High Street, the king at their head, "in form of a procession, in their doublets, to the market-cross of Edinburgh; where all men not only rejoiced to see and behald such apparent concord, but also praised the king of his great industry and travail. Thereafter his majesty and they went hame in that same order, saluted by a number of gunshot from the Castle of Edinburgh for joy. The people sang for mirth, and a great number of musical instruments were employed for the like use."[1]

By an old rule of the civil law, the inheritor of private property, on reaching majority, had a period of four years within which he was privileged to challenge an alienation of his estate, or any other transaction by which he could show that he was a loser.

[1] Historie of King James the Sext, 229.

Already there had been precedents for the sovereign applying the rule to grants injurious to the Crown. In July 1587 the Estates passed an Act called "The King's Majesty's General Revocation." In its terms it was a very comprehensive revocation of all grants to the prejudice of the Crown, made either by the king's "umwhile dearest mother" before his coronation, or by himself in his minority, excepting those confirmed by Act of Parliament. This Act was of less note and importance in itself than as a precedent for a similar revocation by Charles I., which was far more emphatic, both because it followed on the profuse and lax practice of King James's reign, and because it was enforced by a sterner hand. It is observable that the term "teinds" or tithes, which was the most critical article in the subsequent revocation, does not occur in that of 1587."[1]

[1] Act. Parl., iii. 439

CHAPTER LX.

To the Reaction of Episcopacy.

THE KING'S MARRIAGE PROJECTS — ANNE OF DENMARK — KING JAMES'S ONE ROMANCE—HIS VOYAGE TO SCANDINAVIA TO BRING HOME HIS WIFE — THEIR RETURN AND RECEPTION — FORMAL ADOPTION OF THE PRESBYTERIAN POLITY — THE NEW BLOOD THROWN INTO THE PRESBYTERIAN PARTY—ANDREW MELVILLE—STORY OF STEWART, EARL OF BOTHWELL—HIS ESCAPADES—THE ADHERENTS OF THE OLD CHURCH—HUNTLY AND THE NORTHERN ROMANISTS—THE MYSTERY OF THE SPANISH BLANKS—THE BATTLE OF GLENLIVET—THE POPISH EARLS—THE CEREMONIAL OF THEIR REPENTANCE AND RECONCILIATION TO THE CHURCH —THE TRIUMPHS OF THE MELVILLE PARTY—THE CONTEST WITH THE COURT—THE SCENE IN EDINBURGH—FLIGHT AND RETURN OF THE COURT—REACTION.

DURING the transactions just related, the king's thoughts had been turning towards marriage. According to Sir James Melville, "his majesty determined first to seek counsel of God by his earnest prayer to address him when it would be metest, and the well of himself and his country. So that after fifteen days' advisement and devout prayer, as said is, he called his Council together in his cabinet, and told them how that he had been advising and praying unto God the space of fifteen days to move his heart the way that was metest, and that he was

resolved to marry in Denmark."[1] Frederick II., King of Denmark, had two daughters. The elder was married to the Duke of Brunswick, while yet the proffers from Scotland had not taken distinct shape; but there remained the younger, Anne, born in 1574. As a point of prudence, Queen Elizabeth was consulted on the project, but with no good result. On all questions about the marriage of the Scots king she had shown as much feminine wilfulness and caprice as if she had been a giddy girl plotting a match for herself. She had set Bowes on the watch for any project to wed him to a daughter of the house of Guise; and though she spoke of the sister of the King of Navarre, who was about to become King of France, it may be questioned if any alliance would, when it came to practical arrangements, have met her approval. The marriage of any person of the male sex in whom she took an interest always disturbed her nerves and temper. To the Danish alliance she expressed herself so hostile that the wildest projects for defeating it were imputed to her. She influenced Maitland the chancellor and some other men of influence to oppose the union; but James was wilful about it as a matter personal to himself, and would not be controlled.

There seem to have been many difficulties in finding a person of suitable dignity to head the necessary embassy. Melville gives an account of them, amusing but rather prolix, since he was himself personally solicited to undertake the duty, and was determined to escape from it if he could. He held that if he must go, he would require legal assistance; especially

[1] Memoirs, 365.

to manage the nice question about the claims on the property of the Orkney and Shetland Isles. He suggested the choice of Sir John Skene, a great practical lawyer and scholar, because "he was best acquainted with the conditions of the Germans, and could make them lang harangues in Latin, and was a good, true, stout man, like a Dutchman."[1]

In the end the mission was confided to the Earl Marischal, who with a proper train of attendants sailed for Copenhagen. The marriage by proxy was solemnised in August 1589.

A brilliant little fleet was equipped to carry the bride home, but it was so beat about by storms that it had to seek safety by running into a port in Norway.

James had one of those erratic wills on the motions of which no one could calculate, and he might be found doing something as far off from the character indicated by his common habits as he could go. He determined at this juncture to have one romance in his life—to sail to Norway, and to rescue his bride from the thraldom of the stormy sea. He left behind him an explanatory document, which is one of the oddest fruits of his eccentric brain.

He begins by assuring his people that he was endowed with all qualities for fulfilling the duties and enjoying the happiness of the marriage state: yet, but for a sense of public duty, he could have contented himself in solitude; for he says, "I am knaune, God be praised, not to be very intemperately rash nor concetty in my weightiest affairs, neither use I to be so carried away with passion as I refuse to hear reason." His

[1] Memoirs, 366.

object was to expedite the marriage. From a good deal of indistinct mumbling it is clear that he thought there were influences at work which would keep his bride out of his hands, if that could be done through delays and impediments. He finds a lack of assistance and zeal among his own advisers and servants, and so he will go himself, and go at once. It is exactly what the testy head of the household does when, from a dispute among the domestics or otherwise, the piece of menial duty that should be done is not done,—the lord takes the shovel or the frying-pan, or whatever may be the proper instrument, and does the thing with his own hands, as the heaviest of all rebukes to his undutiful domestics. The chancellor had been the leader of the opposition to the marriage, and the king is exact and full in announcing that his voyage was kept an entire secret from that high officer for two reasons: "First, because I knew that if I had made him of the counsel thereof, he had been blamed for putting it in my head, whilk had not been his duty, for it becomes na subjects to give princes advice on such matters; and therefore, remembering what envious and unjust burden he daily bears for leading me by the nose, as it were, to all his appetites, as if I were an unreasonable creature, or a brain that could do nothing of myself, I thought pity then to be the occasion of heaping so much unjust slander upon his head." The other reason for concealment was to prevent the chancellor from putting impediments in the way of his voyage, and so he sums up: "This far I speak for his part as well as my own honour's sake, that I be not unjustly slandered as an irresolute ass, wha can do nothing of himself; as also that the

honesty and innocency of that man be not unjustly and untruly reproached."

He joined his bride at Upsala on the 19th of November; and we are told that "his majesty minded to give the queen a kiss, after the Scots fashion, at meeting, whilk she refused, as not being the form of her country. After a few words privily spoken betwixt his majesty and her, there passed familiarity and kisses." He had intended to return immediately, but was detained by the prospect of "raging seas and storms." The royal guest had an opportunity of seeing and partaking in much jollity. The English gentry of that day were hard drinkers. The Scots who could afford to do so probably drank still harder; but both beheld with admiring astonishment the feats of the Danish courtiers when there was an opportunity of mixing in their carouses. James was in some measure seasoned to such an ordeal, as he reveals when, in the announcement of a gift of the earldom of Murray to Alexander Lyndsay, he dates his letter "from the Castle of Cronberg, where we are drinking and driving our in the auld manner." They arrived in Scotland on the 1st of May 1590, and were received with much pageantry and public rejoicing.[1]

We have seen one great subsidence in the influence of political disturbances in Scotland, and we are now in another. By the earlier subsidence, convulsions and revolutions in the government of Scotland ceased to have a material influence on the politics and prospects of other countries: that subsidence may be held to date

[1] For documents on the king's marriage see 'Letters to King James the Sexth,' Bannatyne Club; and 'Documents relative to the Reception in Edinburgh of the Kings and Queens of Scotland.'

at the capture of Edinburgh Castle, and the extinction of the prospect that Queen Mary could be restored. More than once, as we have seen within the few years since that period, there had been violent revolutions, in which the command of the country changed hands, and was bandied, as it were, between parties utterly hostile to each other; but Scotland alone felt each convulsion, and it probably was hardly known beyond England.

The second subsidence now reached will be found accompanied by abundance of quarrelling, plotting, and change of fortune; but none of these violences and fluctuations were sufficient to create a political revolution in the Government; and thus in some measure they descend from the rank of State events, and partake of the nature of personal crimes and outrages, interesting from the revelations they afford of the social condition of the country and the period.

The more important changes of the period were in the Church, and these were more nominal than real. The zealous Protestant party, as they had gained one accession of strength by the massacre of St Bartholomew, gained another in the attempt of Spain to invade Britain by the Armada. The pressure of the party on the Court now acquired much power, yet not enough to account for the concessions which they appear to have extracted. To the general reader of our histories it is sometimes perplexing to find it told, that in the year 1592 Episcopacy was abolished, and the Presbyterian system was legally established in Scotland. The event comes in an isolated shape, without sufficient preparation in a contest gained by the one party and lost by the other; while it is equally without result —the progress of events and the condition of the

country showing no signs of so radical a religious revolution.

No doubt it was solemnly effected by an Act of Parliament; but the decision of the Scots Estates never had, like an English Act of Parliament, that absolute effect of a public law which can only be unmade as solemnly and deliberately as it has been made. It came to be the doctrine of the English lawyers, that an Act of Parliament, however old it might be, or however long its existence might be forgotten, must, if this existence could be proved, be put in force, whatever hardship and injustice its enforcement might occasion. In Scotland an Act might drop into oblivion, and in that state be virtually repealed; and many of the Acts were, owing to sudden change of opinion or other causes, never considered as practical rules. The English Legislature, in consideration of the enduring and unpliable character of its statutes, protracted their final adoption by many forms and reconsiderations. In Scotland, on the other hand, an Act of the Estates had in a great measure the character of a vote or resolution by a popular assembly, which might be forgotten when the feeling that had carried it was weakened. It requires us to consider this distinction to account for the little real change produced by the Act of 1592.

The substance of the Act is unequivocal and distinct, doing all that words could do to establish the Presbyterian polity. This is described as the jurisdiction and discipline "agreed upon by his majesty in conference had by his highness with certain of the ministry convened to that effect." The Act of 1584 authorising the Episcopal hierarchy is repealed, and the Church is

to consist of a General Assembly, Provincial Assemblies or Synods, Presbyteries, and the Kirk-Sessions attached to individual spiritual charges. These were the elements of a Presbyterian or republican hierarchy, with a power of review by the higher over the lower judicatories, up to that body which is alike the supreme court and the supreme parliament of the spiritual Estate—the General Assembly. All collation to benefices is to be in the hands of this hierarchy. The power of the presbyteries, which were the most active of the grades, was especially "to give diligent labour in the bounds committed to their charge that the Kirk be keeped in good order; to inquire diligently of naughty and ungodly persons, and to travel to bring them in the way again by admonition or threatening of God's judgments, or by correction." There was a condition in the Act against which, in the later times of its Presbyterian polity, the Church of Scotland sternly protested as savouring of Erastianism, or interference by the civil power in things spiritual. The king, or his commissioner, was to be present at the deliberations of the General Assembly; and he should, "before the dissolving thereof, nominate and appoint time and place when and where the next General Assembly shall be halden."[1]

A short, but, if it were fully enforced, a powerful addition was made to the power of the Church by an Act passed in 1593 "for punishment of the contemners of the decreets and judicatories of the Kirk." It tells how "it is of verity that a number of obstinate and stubborn people in divers parishes of this land hath contemned and daily contemns the sentences

[1] Act. Parl., iii. 541.

and decrees of the said Assemblies and judicatories of the Kirk—namely, in landward parishes, where there is little or no concurrence of magistrates to punish obstinate and disobedient persons; and the said Kirk, having no other punishment in their hands but spiritual, the whilk the said obstinate people, being altogether fleshly and beastly, feels nor sets nought by;" therefore the judicatories so defied may apply to the Lords of Session or the Secret Council, who, if the offenders continue in their stubbornness, may issue against them the terrible writ of horning, with all its ruinous consequences.[1]

How far this discipline might enter into affairs purely secular, there are instances all the more distinct that they refer to petty matters. Had the following occurrence in Morton's day been told by an opponent, it might be doubted; but it is given by the zealous Calderwood, under the head, "The regent opponeth to execution of discipline": "About this time Robert Gourlay, an elder of the Kirk of Edinburgh, was ordained to make his public repentance in the Kirk of Edinburgh, upon Friday the 28th May, for transporting wheat out of the country. The regent being advertised, answered, when he was called on to utter his confession, and said openly to the minister, Mr John Lawson, "I have given him licence, and it appertaineth not to you to judge of that matter."[2]

These Acts of the Estates were passed in the midst of a succession of personal disputes or altercations between the king and the more zealous of the clergy. Individually these bickerings are quaint and picturesque, but as they accumulate there is a uniformity in them that

[1] Act. Parl., iv. 16.

[2] Calderwood, iii. 328.

becomes tiresome. They were exasperated and imbittered by the young king's self-conceit. There was not only his assertion of his supreme authority over all spiritual as well as secular matters, but he assumed, what is still more offensive to all clergymen, a superiority in the peculiar learning of their profession, and he would needs convince as well as control them. Thus attacked within their own ground, they used their theological weapons with little remorse, and did their best to inflict signal punishment on the intruder. They would have him submit to discipline too; for, after all, a king was but a man subject to all human frailties, and the correction of these frailties was committed by the Deity to His Church. Thus on one occasion, when he had failed in zeal for the promotion of the ends of the Church, although it was just after the passing of the Act professing to establish the Presbyterian polity, the Reverend Robert Bruce, with whom we shall meet hereafter, was appointed to deal with him. The scene is told by the historian of the Church under the heading of "The king's stubbornness under rebuke." He was at that time subject to a succession of tribulations from an eccentric and half-insane relation of his own, as we shall presently see. He had just escaped from one of these in which he thought himself in danger, and Bruce improved on the event, saying the king had received many admonitions, but this was sharper than the others. Then the rebuker "desired him to humble himself upon his knees, and confess his negligence before God, and to keep his promise better nor he did the last he made in that place. The king was so far from humbling himself upon his knees, that he stood to his own purgation,

and controlled Mr Robert in some circumstances of the fact, which he related as he was informed, not having had as yet the full knowledge thereof."[1]

This little scene connects itself with what we may call rather the adventures than the proceedings of one who added a good deal of additional notoriety to the already notorious title of Earl of Bothwell. John Stewart, secular Prior of Coldingham, was one of the many illegitimate children of James V. He married Lady Jane Hepburn, a sister of the Bothwell who married the queen, and they had a son, Francis Stewart. He was a personal favourite of his cousin the king; and as the lordship of Bothwell was vacant, his connection with the former owners suggested that to confer it on him would be an appropriate mark of favour. He thus became Earl of Bothwell in 1587; and when King James went to Denmark, he and the Duke of Lennox were left in joint authority as his lieutenants.

When a man has found a place in history by his personal enterprise, we may almost always be sure to find a place for him also in the general political forces of the day. Either he works with a party in some grade high or low, or he has some great object towards which he directs the influence at his command. To this general rule Bothwell was a notable exception. There was no more policy in his violent and astounding enterprises, than in the violent frolics of the young men who in the present day wrench off knockers and upset policemen. Yet his career signally exemplified two political conditions peculiar to Scotland—the one, the utter feebleness of the Crown in itself; the other,

[1] Calderwood, iv. 168.

the great and dangerous power that the monarch was able to confer on a favourite subject. Both arose out of that jealousy which denied to the Crown any armed force except that feudal array which subjects raised and commanded. No doubt Bothwell was so far attached to a party that he may be generally found in concert with the zealous party in the Church, but he was not a fitting coadjutor to them. In a layman co-operating with an ecclesiastical party there may not be much zeal, but decorum is indispensable to him. But Bothwell showed no sense of decorum either in his public acts or his private conduct.

His first personal quarrel with his royal patron is traced to some grotesque dealings with the witches, whose activity was excited by the sea-voyages to bring over the queen. It was charged that he made irreverent if not dangerous inquiries of them touching the time of the king's death; hence he was committed prisoner to Edinburgh Castle. He managed to escape. Believing, or professing to believe, that he owed his imprisonment to the enmity of Maitland the chancellor, he beset Holyrood House—or "made a stour" there, as one annalist says—and attempted to seize him; but the attack was more terrible to the king himself than to the chancellor. As one who lived at the time sententiously says: "He and his accomplices came to the king's door, and the queen's, and the chancellor's; at one time with fire to the king's door, with hammers to the queen's door. Sir James Sandilands was sent in haste to the Provost of Edinburgh. The citizens, warned by the sound of the common bell, followed the provost down to the palace. Before they came Bothwell and his accomplices escaped, all except seven or

eight that were apprehended and after hanged at the cross."[1] The king went to St Giles's to offer up public thanksgiving for his deliverance on this occasion; but he offered it in a shape which somehow did not secure the approval of the leaders of the Church; and John Craig took an opportunity to rebuke him from the pulpit, saying that, as a warning to him, "God in His providence had made a noise of crying and forehammers to come to his own doors." The king, as usual, would make answer, "and endeavoured to stop the congregation from departing, and began to speak; but Mr Craig, not hearing what the king said by reason of the throng, went his way."[2]

In the same year, 1592, Bothwell assailed Falkland, where the king was. He was driven back, as it appears, not by any guard protecting the royal person, but by the timely assistance of the Fifeshire peasants in the neighbourhood of Falkland.[3] Again, in July 1593, Holyrood Palace was surrounded by armed men, who found their way into its most private corners. They found the poor king in a condition as to clothing and otherwise which did not permit of distant flight; and when he attempted to find safety close at hand in his wife's apartments, he discovered that his enemies had locked the door leading to them. "The king, seeing no other refuge, asked what they meant. Came they to seek his life? let them take it—they would not get his soul." But the marauder, kneeling, said he came to seek pardon for his former offences, and pardon was promised. Again the citizens came to the king's rescue in a tumultuous body, suddenly called by the common

[1] Calderwood, v. 140; Birrel's Diary; Pitcairn, i. 357.
[2] Calderwood, v. 143. [3] Ibid., 168.

bell; but the king said he had come to terms with the assailant and needed not their aid.[1] Bothwell's last and most formidable raid on the royal household was in 1594, when he appeared suddenly at Leith with five hundred ruffians from the Border, threatening Edinburgh. The king had the Lord Hume at hand "with seven or eight scores of spears well appointed." Other courtiers had small parties of their retainers; but again the king had fallen into his enemy's hands but for the citizens of Edinburgh, who tumultuously assembled and marched out to attack Bothwell's party. These, finding that "the town of Edinburgh was coming forth," retreated along the east coast. "They rode thick and orderly, not moving themselves more than if none had come forth to pursue them. They rode by the back of Arthur Seat towards Dalkeith. The king rode through the Pleasance to the Burgh-mure, and the inhabitants of the town of Edinburgh with him on foot. Bothwell and his company were at the Woolmet when the Lord Hume and his company, and some of the guard, charged upon them. Bothwell and his company turn and chase the Lord Hume and his company into the footmen. Sundry were taken and sundry hurt." The annalist remarks that "if the town of Edinburgh had not been upon the fields, Bothwell had chased the king and all his company in at the ports."[2] This was the last of his exploits; he retired to the Border, and wandered through England to the Continent, living, as it was said, a very vicious and certainly an obscure life. If we are to believe a royal proclamation, his intention in this last attack

[1] Calderwood, v. 257; Camden in Kennet, ii. 572.
[2] Calderwood, v. 296, 297.

was, "immediately after his majesty's apprehension, to have carried him captive to the Castle of Blackness—the keeper whereof being corrupt is now execute for his demerits—there to have detained his highness till his disordered outlaws had come from the Borders, who were indeed under warning to have met the fifteenth of this instant at Jedburgh."[1]

The king was not at that time on the best of terms with the zealous party in the Church, whose force was concentrated in Edinburgh. To conciliate them, apparently, he sent to the presbytery of Edinburgh, soliciting them to give light for his guidance in this trying affair. "They, taking this motion to be a snare, answered they would pray for him, and against all that would oppose to the good cause." When he pressed them farther, "their advice was that he would turn and repent him of his sins."[2]

This succession of outrages and alarms gives a lively idea of a signally feeble and unprotected Court. Even some efforts made to guard the royal residence harmonise with the picture in their smallness and inefficiency. We have seen that during the custody of the king by the Ruthven lords there were insuperable difficulties in placing a guard of two hundred men round him. In 1584 a permanent guard of forty gentlemen, "honest and well horsed," were appointed to be in perpetual attendance on the royal person; but this novel force could only be established by Act of Parliament, so jealous were the Estates of anything that seemed to plant the seeds of a standing army.[3]

[1] Pitcairn's Criminal Trials, i. 341. [2] Calderwood, v. 298.

[3] "Ane Act touching the provision to his highness of a guard, and sure payment of their ordinare wages;" Act. Parl., iii. 298.

It goes somewhat in explanation of Bothwell's grotesque career, that he appears to have been on the whole a genial and likeable madcap. The king, though the personal sufferer from his pranks, could speak of him in a kindly spirit, and spared him when others urged severity. He seems, too, to have secured his followers in mischief by the popularity of his character; for the king, in the proclamation already cited, refers, as the cause of all, to the ignorant and foolish affection of his lieges borne to the said Bothwell, "which made him bold every three months, to make a new conspiracy."[1]

The eccentricities of this new disturber of the political elements seem to have been so far beyond the philosophy of the English emissaries that no story was too absurd to them. John Carey, Hunsdon's son, supplies Cecil with the following: "He trusteth so much upon the justness of his cause as he doth refuse to be tried by noblemen and his peers, and is contented to refer himself to the judgment of coblers, taylors, or suchlike artificers—whosoever it shall please the king or his adversaries to appoint for his trial. And doth further mean that against the day appointed he will return to Edinburgh, and there put himself into the hole among thieves and murtherers, to abide his trial till it be past; which being done, and he acquit of the fact, then is it thought that his enemies will fall, and that he shall be made lieutenant-general of the whole country."[2]

It was one of the difficulties in the case to find what religion he favoured. He had been under suspicion

[1] Pitcairn's Criminal Trials, i. 341.
[2] Letters of John Colville, 98.

of Popery at the crisis of the Armada. In his later turbulence he had personated the vehement ally of the zealous Presbyterians. But again the clergy had a suspicion that his conduct rather helped the "Popish lords," to whose doings it is now time to attend.

When the younger Melville exulted over the calamities to the cause of Rome, which began with the destruction of the Armada, he had to say in sorrow, that "notwithstanding of the Lord's judgments that year upon Papists, yet, after the spirit of the serpent wherewith they are led, although cut and deadly wounded in divers parts, nevertheless were ever stirring and menacing, so that divers practicers and traffickers—Jesuits, seminary priests, and other enemies, of the Antichrist, crap in the country and kythed dangerous effects in divers parts—namely, in the north and south."[1] On the western border there were some adherents of the old Church supported by the power of the Maxwells; but however provoking their existence there might be, they could hardly be called dangerous. In the north-eastern districts, however, there was almost a Romanist principality, of which Huntly was the sovereign. There were repeated rumours that a Spanish force was to be landed there; and especially there was a fear that part of the Armada would be sent to give work there for the Government of Scotland, and cripple it for aiding England. Had such a landing been effected, perhaps a powerful body of auxiliaries would have joined them. Without foreign assistance, however—and the danger of such assistance seemed now over—Huntly's power was not sufficient to give serious alarm in the south. At the

[1] Diary, 265.

same time it was too strong to be at once suppressed by the Government; and the Court and the Church both knew the unpleasing fact, that a part of the country was open for unmolested intercourse by sea with the Papal powers of the Continent.

There was a general impression that King James had dealings with Papal agents, and that he was ready to join the old Church if by doing so the turn of events should show that to be his way to the English throne. It was a matter on which he probably had no religious scruples; but he disliked in theory the ecclesiastical supremacy asserted by the Papal hierarchy, as he practically hated that spiritual independence and jurisdiction of the Presbyterians which was eternally thwarting him.[1] When we look back

[1] There was much anxious discussion and many exaggerated rumours about the proffers made to Rome and Spain through secret agents accredited by James. Rumour seems to have exaggerated their offers, and these appear to have sometimes been made without authority. A set of papers relating to these emissaries is in the collection of the manuscripts of Sir James Balfour in the Advocates' Library. Three persons come up in these and other authorities—a Jesuit named Ogilvie, the same perhaps who was afterwards executed at Glasgow; Lord Semple, the head of a Romanist house; and his cousin, Colonel Semple. Lord Semple was in Spain, where he professed to be an ambassador. It appears, however, that he had no written commission of any kind; and in his native tongue, with something of a Spanish tinge in it, he thus writes to the king, showing the necessity of having one: "It will ples zour magestie, yat eftir my arriual hir I conferrit vith ye crunal, my cusing [the colonel, my cousin], for tryall of ye King of Spanis mening towartis zour magestis titill to ye croune of Inoland, qua merualit not litill yat in so vechti a mater zour ma. nader gef me comisione nor varrand in na sort. Alwayis he has gotin satisfaxsiun to zour magesti, and yat sua sekretlie as na man hir knauis of it safen ane of ye Cunsall quha is his grit frind. Alwayis he hes desyrit me to del in yat mater yat his magesti vil be veri villing to enter of neu in lig vith zour ma., quhilk beand done, he nadir minis nor vill preguige zour ma. titill in one sort." He then urges the king to return a commission with the bearer as speedily as possible, and with all secrecy, as England is urging a peace with Spain—

to the political conditions of the day, we may pronounce that no wise man would have recommended King James to look in the direction of Popery as the path to the English crown. It is hard to say, however, what ideas may have been passed in review in his restless and rather incoherent mind, that he might examine and weigh them according to the canons of his beloved science of kingcraft. It is clear, too, that he loved to exhibit little feats in the practical application of this science, and to do acts and establish connections which set the world agazing, and acquired for him the repute of a politician so profound as to be inscrutable

a measure not likely to be "to his majesty's contentment." He alludes to his cousin the colonel holding a permanent commission as his majesty's agent in Spain, and mentions that the English Jesuits are stirring up the Court to have no confidence in James, but to urge the claims of the King of Spain. He says: "I am assurit, gef zour ma. fallu [follow] out yis mater, zour ma. vil get assistense of ye King of Spane beth of muni and arims;" and thinks that "in ye mentyme it var not ill dune yat zour ma. schou zourself mair frindlie vith Ingland nor befor, quhairby thay tak ne suspisiune of zour ma." Among the papers there is an undated commission, which probably followed this appeal, a letter from James to the King of Spain, and instructions to Lord Semple in English, signed by the king. These documents contain nothing but congratulations to the new king, Philip III., on his accession, hopes that the old amity between the States may be renewed, and proposals for continuing commercial relations, with the exception of one clause in the commission which empowers the ambassador to treat "cætera prout ei a nobis in mandatis credita sunt." Semple in his next letter says that the receipt of the letter of credit made him an object of much distinction at the Spanish Court until it was translated and laid before the Council, when he found "ane dryar form of behavior." They complained that the ambassador had only a letter of recommendation in place of a letter of credit, and would not be content with his explanation that that form was adopted "for feir of interpretatioune." He mentions an interview with two members of the Privy Council, "quha demandit of me gif yor. matie. wes Catholik, and gif yor. m. wald assist ye King of Spaine againes his enemeis, he entering in lig wt. yor. matie. I answers yt. I douttit not bot giff his matie. wald send ambassadors to yor. matie., yor. matie. suld gif him satisfactione in all thais maters according to reassone."

by ordinary intellects. It is probably due to something of this kind, rather than to any deliberate weighing of the question whether he should join the old Church, that we find the Solomon of his age coquetting with strange powers, and employing questionable agents. If it was so, he suffered the penalty frequently paid by mystifiers, and involved himself in an atmosphere of suspicion.

There is no doubt, too, that some of the suspicions about Popish tendencies arose out of his very natural desire to propitiate the powerful Romanist party still remaining in England, who could not look without fear to the prospect of dwelling under a monarch trained in the school of Melville and Row. In this view he might be complacent to Papists without any tendency to imbibe their religion; but he was among those who understood not such compromises, but held that whoever was not for them was against them. In 1589 Huntly and some of his coadjutors were indicted for a conspiracy to co-operate with the Armada. The indictment was of a general kind, asserting that he had trafficked with foreign Papists, received Spanish gold, and levied men. There was much complicated procedure which led to nothing. The accused "came to the king's will," or put themselves in his hands; but punishment was not enforced. The king was strongly censured on the occasion, as perfidiously conniving at the enemy. It must be understood, however, in all the dealings with the Government at this time, that the punishment of such a man as Huntly was more than the administration of justice against an offender —it was the levying of war against a powerful enemy. Huntly indeed had so substantial a power at his com-

mand that he did not require to take refuge in the fortresses or mountain-recesses of his country as a refugee—he came southward, and "warded" himself in the Castle of Blackness, that he might meet in open court any accusation made against him. A peculiar feature of his trial was that the restless Bothwell stood with him at the bar as an accomplice, and came along with him to the king's will, "for raising of men of war, convocating of our sovereign lord's lieges—broken men, Borderers."

Presently Huntly and he were to be in positions as antagonistic as the hunter and the hunted. After Bothwell's raid on Holyrood House, Huntly was commissioned to pursue him and his accomplices under the writ bearing the appropriately savage title of "letters of fire and sword." It was one of the economical devices of the time by which feudal power and enmity were made the means of executing penal justice. The writ gave authority for hostile attack, and for the destruction of strong places of retreat by fire.[1] Thus resistance was inferred, and the true spirit of the application of the authority was to put it into the hands of some one who was strong enough to execute it, and, as feudal enemy or otherwise, likely to take heartily to the task. Whether the Earl of Murray was named in the writ or not, Huntly chose to treat him as one of the accomplices or abettors of Bothwell. Murray was a handsome and very popular man, and was known in his day as "the bonny Earl of

[1] So recently as the year 1710 we find this practical definition of the writ: "Letters of fire and sword is when the Privy Council commissionates the sheriff, by all manner of force, to dispossess him who in spite of all law, after he is legally ejected, continues to possess."—A Short Dictionary of the Select and Choicest Terms of the Scots Law.

Murray." It is generally said that Huntly desired to take vengeance on him for the evils the Regent Murray had done upon the house of Gordon; but it is as well to remember that this Earl of Murray was not the regent's son, but his son-in-law—the husband of one of his two daughters.

One night in February 1592, Huntly and his followers surrounded Murray's house or castle of Donibristle, on the north bank of the Firth of Forth. There was much confusion and ferocity, in which two conspicuous inhabitants of the house were slain—the bonny Earl, and Dunbar, the Sheriff of Moray. The occurrence was of a kind too common in that day. Perhaps it was technically defensible: it is said that Murray was hiding among the rocks when he was slain, and consequently might be held as endeavouring to escape from one entitled to use the sword for his capture. But it was quite sufficient to rouse excessive indignation in the Protestant community, when they remembered that within sight of Edinburgh the act was perpetrated by the great Papal potentate who held rule in the north, defying the laws for the establishment of the Protestant religion; and that the victim, himself a popular favourite, was connected with that venerated regent whose title he held. A zealous partisan says: "The king and the chancellor went from Edinburgh to Kinniel, to the Lord-Hamilton, to eschew the obloquy and murmuring of the people. Hardly could they be assuaged. The provost and magistrates of Edinburgh with great difficulty stayed the crafts from taking arms to stay the king from riding and to threaten the chancellor."[1] The perplexed king had some

[1] Calderwood, v. 146.

unproductive communings with leading clergymen concerning the difficulty. He "sent for five or six of the ministers, made an harangue to them, wherein he did what he could to clear himself, and desired them to clear his part before the people. They desired him to clear himself by earnest pursuing of Huntly with fire and sword. A proclamation was made with beating of the drum to declare the king innocent, but no word of pursuing of Huntly. The king declared his part to be like David's when Abner was slain by Joab."[1] It was a rather felicitous parallel if he quoted David's conclusion: "I and my kingdom are guiltless before the Lord for ever from the blood of Abner the son of Ner."[2]

Many wild conjectures were current to account for the deed itself, and for the impunity of the perpetrator. Among these it was said that the conduct of Queen Anne gave the king cause to be jealous of Murray; but there is nothing better than vague and hostile rumour to support any such charge against Anne of Denmark.

In the same year, 1592, occurred the incident called "the Spanish blanks," which disturbed the zealous Presbyterian party to an extent not easily realised by looking at the scanty materials by which it was produced. But in fact it was the mystery excited by imperfect evidence that created suspicion and terror. It was suspected that a man named Kerr, who was leaving Scotland by the west coast, had dangerous documents in his custody. The minister of Paisley, hearing of this, gathered some sturdy parishioners, who seized and searched Kerr. They took from him

[1] Calderwood, v. 145.

[2] 2 Samuel iii. 28.

eight papers called "the blanks." Each had on it the concluding courtesies of a letter addressed to royalty, "De vostre majestie tres humble et tres obesant serviteur," and this was followed by one or more signatures. Otherwise these slips of paper had "no designation on the back, nor declaration of the causes for which they were sent, but blank and white paper on both the sides except the said subscriptions." Two of these were subscribed by the Earl of Huntly, two by the Earl of Errol, two by the Earl of Angus, and the remaining two by Huntly, Errol, and Patrick Gordon of Auchendoun.[1] Huntly, as we have seen, was the head of a sort of Popish principality in the north, and Gordon of Auchendoun was his nephew. Errol was his neighbour and coadjutor. The name of Angus was new to politics—he had only been a few months possessor of his title. Such efforts as availed to the chemistry of the age were made to reveal any writing with sympathetic ink above the subscriptions, but with no result. After an inquisition, accompanied by torture, the conclusion arrived at was, that the blanks were to be filled up by William Crichton, a Jesuit, and James Tyrie, both notorious traffickers; and that when so filled up they were to contain an assurance that the powerful men who subscribed them "should raise a power of horsemen and meet the Spanish armies at their landing, and reciprocally to assist, accompany, and convoy them in their passing to England by all the forces they could procure upon the King of Spain's charges." Several letters of alarming import were found at the same time. They were written by the subscribers of the blanks and other

[1] Pitcairn, i. 320.

people, and were addressed chiefly to the Duke of Parma. These documents have come to us in a manifesto or explanatory pamphlet, "printed and published at the special command of the king's majesty."[1] King James was at that time paying his addresses without much success to the zealous Presbyterians, and in the tone of these letters there is a suspicious tendency towards the revelation of terrible dangers escaped through the vigilance of the Government. The following passage, for instance, in a letter professing to come from an obscure and secret plotter to the Duke of Parma, is in a tone calculated to create a lively terror that beneath the surface of the political condition of the country there was a ramified mine of Popery and treason ready to be fired. After much else, it sets forth how the Deity had, "by the instant prayers and holy persuasions of two fathers, Jesuits, converted to our holy faith two heretic earls of the first authority and power amongst them—the ane whereof is called the Earl of Errol, Constable of Scotland, converted by Father Edmond Hay; the other, called the Earl of Craufurd, converted by the said Father William Crichton. They are both able and wise young lords, and maist desirous to advance the Catholic faith and your enterprises in the isle, whilk they are deliberate to testify to his majesty Catholic and your highness by their own letters, whilk by the grace of God I shall send by the first commodity. In the mean time they have required me to make you offer of their maist humble

[1] 'A Discoverie of the unnaturall and traiterous Conspiracie of Scottisch Papistes against God, His Kirk, their Native Country, the Kingis Majesties Person and Estate,' &c.; reprint. Pitcairn's Criminal Trials, i. 317.

and maist affectionate service, promising to follow whatsoever the said Jesuits and I shall think good to be done for the conservation of the Catholics, and to dispose and facilitate the execution of your enterprises here—whilk they can do more easily nor they that are known to be Catholics, whose actions are ever suspicious to the heretics for their religion, whereof these two earls have not yet made outward profession."

Such is a specimen of the secret and perilous correspondence with Spain which the Government professed to have discovered. But the measures adopted did not, in results at least, seem to balance the amount of dangerous treason so revealed. Orders were issued to the Popish lords to ward themselves. The king himself marched with a party to Aberdeen, and they fled northwards, leaving their strongholds at his mercy. There were many forfeitures; but they had yet to be ratified in Parliament to render them anything stronger than threats. The zealous Churchmen demanded the extirpation of Popery and Papists. On the other hand, the measures taken against the Popish lords were desultory and questionable: there was Parliamentary forfeiture, but it was not enforced; and Huntly returned to his strongholds, garrisoned them, and showed a formidable front.

We have seen that while Huntly ruled the Highland districts of the north which bordered on his own large Lowland estates, Argyle was the Highland prince of the south-west. It was taken up as an ingenious policy which might clear away all difficulties, and cost the Government nothing, that the leader of the south-western Highlanders should be commissioned to attack

his rival in the north. Accordingly Argyle appealed to the several chiefs under his influence, who, delighted with the task, brought their motley followings to his banner. They gathered like a snowball as they moved northwards, and in the end became, according to the estimate of the time, ten thousand strong—too strong, in the sense of counting strength by numbers, for those who had to lead them. Argyle was a youth inexperienced in warfare; but his great host would have obeyed no other commander, and possibly a smaller body might have served him better.

Distant as the chief territories of the Gordons were from Loch Fyne, and many and rugged as were the mountain-ranges between them, the Gordons could be easily approached from the west by a force accustomed to mountain war. When the Argyle men reached the higher feeders of the Spey, which they could probably reach undeterred by any enemy, their way was plain, and they had all along the upper ground. Their path was by the haughs or flat meadows along the Spey. Near Kingussie they had to pass the fortress of Ruthven, but instead of besieging it, they scattered, and re-formed beyond it. On reaching the junction of the Avon with the Spey, they had still haugh-land to march upon. It was on the bank of a brook running into the Avon near the larger stream of the Livet that the Gordons were posted to give them battle.

Huntly had only two thousand available men, but they had many advantages. They were trained to the discipline of the day, and they had six field-pieces — an arm which the Highlanders long after this period could never hear without panic. This small body belonged in a great measure to the district

whence came the small force which had defeated Donald of the Isles at Harlaw in 1411. The armies met at a spot some thirty miles northward from the field of the older battle. The result was very similar, if we take the effect of the artillery as corresponding with the charges of the mounted men in mail. After repeated fierce attempts by the swarms of Highlanders to break in upon the compact array of the enemy, they were at last scattered with slaughter. They left one mark on the field,—Gordon of Auchendoun, the son, as it would appear, of the leader in the war of 1572, was among the few killed on his own side. This battle was fought on the 4th of October 1594. In its own neighbourhood it is called the battle of Altachoy-lachan; but history has found for it a more easily pronounced and remembered name in that of the district—the same Glenlivet which has another and more festive celebrity.

Nothing is better evidence of the fundamental weakness of a cause than an unproductive victory. This one was a gain to nobody but those who won it with their own hands. The little Romish party, strong in its native vigour, had no other support: it was utterly isolated. Henry IV. reigned in France with consolidated power, and Spain had been stricken with paralysis in the fate of the Armada. King James again marched northwards, taking with him Andrew Melville to be witness of his dealings with the followers of the Beast. There was no resistance, and he dealt as he thought fit with the strongholds of the Popish lords. But the extreme measure of transferring their forfeited estates to those who would hold them with a sure gripe was still delayed. Huntly and Errol, with some of

their followers, went for a time abroad. We shall see that in the mean time James was hard pressed by the zealots on the opposite side; and it was a natural feeling in him and his advisers, that if these northern potentates would become reasonable and dutiful, they might be a stay and support against that body which was pressing its claims to an ecclesiastical independence that looked very like supremacy.

The end was that in the year 1597 the two earls, Huntly and Errol, announced that they had seen the error of their ways, and had been led to the adoption of the truth as set forth in the standards of the Protestant Church established in Scotland. Into the bosom of that Church they were received with solemnities and rejoicings. The place of this reception was the old church of St Nicholas, in Aberdeen. We have this account from an eyewitness of the scene there enacted on the 26th of June 1597:—

"The earls are set in the marriage-desk before the pulpit, with the king's commissioner; the greatest part of the body of the kirk empty before the pulpit. Of noblemen, barons, gentlemen, and common people, such a confluence that the like was never seen in that kirk, in the body whereof the table for the communion was set and covered. The bishop preached, and made a godly and excellent sermon. The sermon being concluded, the earls rise forth of their desk, come in before the pulpit, make an open confession of their defection and apostasy, affirm the religion presently confessed to be the only true religion, renounce all Papistry, etc. etc.; and of new swear never to decline again, but to defend the same to their life's end. The Earl of Huntly confessed his offence first to God, next

to his majesty, to the Kirk and country, for the slaughter of the Earl of Murray; and so the bishop pronounces openly their sentence of absolution from the sentence of excommunication. The earls are then received by the whole ministry, being in number xij or xiij persons, who during all the time of the sermon sat at the table in the midst of the kirk, and with them the provost, bailies, and the most part of the council; and after the earls were received by the ministry, then Patrick Murray, commissioner for his majesty, received them in his highness' name."[1]

The religious ceremony was followed by a secular rejoicing under the auspices of the corporation of Aberdeen, of which the conclusion is: "Wine drunken in abundance, glasses broken, surfitforfits casten abroad on the causeway, gather who may."[2] The material and substantial conclusion of these pageants, ecclesiastical and convivial, was, that the forfeiture of the two earls was revoked by the Estates at their meeting in November 1597.[3]

We must now go back, to attend to the doings of that larger body occupying a position in the Christian Church, theologically speaking, at its opposite extremity. But first it has to be told that there was some little diversion from the acrid disputes which occupied the country, in the rejoicings over the birth of a prince. He was born on the 19th of February 1594. He was the first-born of a family of children,

[1] Analecta Scotica, 300.

[2] "Ceremonial of the receiving the Earls of Huntly and Errol to his majesty's peace at Aberdene, as contained in a letter from Mr T. Molissone to Mr R. Paip, 29 June 1597;" printed in Maidment's Analecta Scotica, i. 299.

[3] Act. Parl., iv. 124.

to each of whom it was the destiny to hold a place in the gloomy chapters of after-history.

Any one who has attentively noticed the sequence of events in our History, and their relation to each other, cannot fail to observe with what power and distinctness the influence of what in physical science is called "action and reaction" has been exemplified in Scotland. We shall presently see another instance of this in the career of the triumphant party in the Church.

"The Kirk of Scotland," says her historian, "was now come to her perfection, and the greatest purity that ever she attained unto both in doctrine and discipline, so that her beauty was admirable to foreign Kirks. The assemblies of the saints were never so glorious nor profitable to every one of the true members thereof." [1]

In the letter of the law they had gained everything. Their Presbyterian polity and discipline were established by Act of Parliament; their supremacy in things spiritual was admitted; the State became their servant, bound to enforce their decrees by denouncing their contumacious subjects as felons, and driving them beyond the pale and protection of the law. Lastly, the extent of their authority—the bounding line at which the spiritual ended and the secular began, was a matter for their own settling; at least they would certainly have allowed no other hand to draw such a line. It was not in human nature that they should not find occasion to try the practical strength of this nominal power.

They had in the mean time gained a personal tri-

[1] Calderwood, v. 387.

umph peculiarly sweet to the polemic soldier. Their great enemy Archbishop Adamson had fallen before them. They had convicted him of perpetrating Prelacy and other offences, and had excommunicated him. The excommunication was allowed to carry with it the civil penalty. He appealed pathetically to the king, striving to win both his theological and classical sympathy by translating the Lamentations of Jeremiah into Latin verse. But James had too much in common with those animals of the baser sort who drive the stricken brother from the herd; and we learn that "the king was so vexed at complaints of Mr. Patrick Adamson lying registered at the horn, and so ashamed of him, now infamous, that he cast him off, disponed his liferent to the Duke of Lennox."[1] We have seen what was the formidable consequence of being at the horn. It gave the king the opportunity, which according to this account he took, of confiscating the revenue of the see. Adamson had a sore sickness, from which, according to the same authority, he got temporary relief by witchcraft, so that he preached a sermon before the king "inspired with another spirit than faithful ministers used to be." But again he fell under the hand of sickness; and between this and abject poverty his miseries prompted him to seek aid of Andrew Melville, who within his own little circle was more powerful than any archbishop who had worn the mitre in Scotland. Speaking carnally, Melville was a generous man; and we may count that he would remember in the spirit rather of sympathy than of rivalry, that the fallen archbishop was, like himself, a scholar and a poet. But there was only one course

[1] Calderwood, v. 118.

open to him. The sinner who is to be accepted into the bosom of the faithful must recant and repent. Adamson in his wretchedness did so. Whether it was the fruit of true conviction, or caused by depressive hardship and shattered nerves, the recantation was the property of the Church, and they put it to all such profitable use to their cause as it would serve.

Before we see how the Church fared when in its exultation it grappled with a stronger opponent than the archbishop, it may be well to look at the condition of the Government with which it had to deal. The revenue of the country was in a wretched condition —the civil officers of the Government unpaid, and nothing available by which the Crown could in case of an emergency co-operate with the feudal force in the defence of the country. The source from which the treasury might be replenished was the forfeitures of estates. From the recent succession of convulsions and reactions, with their forfeitures and remissions, it may easily be inferred that the ownership of a large breadth of the landed property of the country was in a complicated and dubious state. To extricate it would require much hard work of a delicate kind. It would have to be considered whether a forfeiture should be carried to extremities, or the opportunity should be taken to get some cash in hand by remitting it for a fine. Estates absolutely forfeited would have to be turned into cash in the most profitable manner; and many cases of doubtful possession would have to be examined, with the frequent result that the doubtful title would be rendered a firm one for a money consideration. To do all this work a finance committee of eight men was appointed, who from their

number were called "the king's Octavians." They were Alexander Seton, the Lord President; Lindsay of Balcarras; Walter Stewart, Secular Prior of Blantyre; John Skene, Lord Clerk Register—the great lawyer already referred to; Peter Young, also already mentioned as the king's tutor; Sir David Carnegie; Thomas Hamilton, the king's advocate; and James Elphinstone, one of the Lords of Session. The zealous party disliked them from the beginning, having grave doubts about the orthodoxy of some of them, and perhaps also because in their financial operations they failed to do what was desired of them for the patrimony of the Church:—

"At that time there were eight lords chosen, commonly called 'the king's octavians,' all almost either being Papists or inclining thereto, who had the hail government of the estate and the king's living in their hands; but by their dealing the Kirk came no speed."[1] They had other enemies in the king's own household, or the personal attendants of the Court, whose interests suffered from anything partaking of financial inquiry and control. The battle of the octavians, with the zealots of the Church on one side and the "cubiculars" of the Court on the other, lasted for eighteen months, when the commission of finance, as the octavians may be called, resigned, without leaving any strong mark of their hands on the condition of the country.

There had been for a year or two, and there continued, an acrid discussion between the zealots on the one side and the king and his advisers on the other. There was in it much of that peculiar rhetoric of which

[1] Row's History (Bannatyne), 40.

we have seen some specimens. To those who meet it for the first time it no doubt brings a sensation of the novel and the picturesque; but people who have had much communing with it are apt at last to find that it becomes tiresome, and cloys on the mental stomach like other highly-flavoured meats. Giving no more of this than what is necessary, it may perhaps afford interest to see a specimen of clerical rhetoric of another kind, and equally characteristic. It is the fruit of a kind of gregarious excitement to which people of earnest convictions engaged in exciting discussions are liable, and it has the peculiarity that it deals more in self-penitence and reproach than in that condemnation of others which is the more frequent discourse of the same class. The phenomenon has appeared from time to time, and the later specimens of it have been usually termed Revivals. It was appointed by the General Assembly that a day of humiliation and renewal of the Covenant should be held in each ecclesiastical district. In the presbytery of Fife the occasion was thus improved: "Mr David Black taught upon Thursday the 13th of May upon the 13th chapter of Ezekiel and the last verse of the 50th Psalm. He was copious, powerful, piercing, and pertinent. The brethren of the ministry and commissioners of every parish convened immediately after sermon, in place of the synod. The moderator, for better disposing of their hearts, handled the last chapter of Joshua very movingly, with great abundance of tears. The example and form of that chapter was followed point by point, first by commemoration of the benefits of God bestowed upon the Kirk of Scotland, in planting and guarding the same

from the Castellans, the Aubignists, Balaamitish bishops, and the late conspiracy of the Popish earls. Then he spake of their unthankfulness and their undutifulness in their charges with such motion that all were forced to fall down before the Lord, with sobs and tears in abundance, every man mightily commoved, and in private meditation ripping up their ways, acknowledging their unworthiness, and craving grace for amendment, and that for a long space. The moderator thereafter made open confession, in name of the rest, of unthankfulness, forgetfulness, undutifulness, negligence, coldness, hardness of heart, darkness, senselessness, instability, vanity of mind, stubbornness, and rebellion of will, unsavouriness and folly of speech, and of conversation fashioned after the world, &c. Finally, trembling and weeping for the misusage of so honourable a calling, and quaking for fear that such a weight of wrath was lying over their heads, for the blood of so many souls belonging to their charge, all bitterly wept, and sought grace of God for amendment. After this confession, the moderator entered again upon the conference of Joshua with the elders and rulers; and so, after divers other points of doctrine, admonitions and exhortations for the purpose, by lifting up of the hand every man testified before God, and mutually one to another, the sincere and earnest purpose of the heart, to study to amend and serve God better in time to come, both in their private persons and in the great office of the ministry, &c. And, last, the moderator spake upon these words, 'Ye are witnesses this day against yourself,' &c., the which he applied to the present purpose. And so by their own consent it was agreed that a minute and

sum of the whole actions should be insert and registered in the book of the Assembly, there to remain for their admonition and remembrance during their time, and for example to the posterity. Thereafter the moderator, remembering of the defection mentioned soon after the death of Joshua, and the fathers and elders that had seen the works of God in their days, for preventing of the like defection, and fastening of this new covenant the more firmly in the hearts of all the brethren of smaller age, required certain godly fathers and zealous brethren to speak, as they had seen and heard and helped to do in the great work of God, in planting and preserving the Gospel, and liberty of Christ His kingdom, with sincerity in the land."[1]

This being their dealing with themselves, let us see how they endeavoured to deal with others. Before the reconciliation took place at Aberdeen, apprehensive that the State was negligent of duty touching the Popish lords, the Church placed them under the supervision of a police of their own. Certain clerical detectives were named under "instructions for the brethren appointed by the General Assembly to attend upon the Marquis of Huntly, the Earls of Angus and Errol, the Lords Hume, Herries, and Maxwell." The most important of these instructions are: "First, Ye shall address yourselves with all convenient diligence and necessar furniture to enter in their company and families, there to remain still with them for the space of three months continual; during the whilk time your principal care shall be, by public doctrine, by reading and interpretation of the Scriptures ordinarily at their tables, and by conference

[1] Calderwood, v. 434, 435.

at all mete occasions, to instruct themselves in the haill grounds of true religion and godliness, specially on the heads controverted, and confirm them therein. Second, Take pains to catechise their families ordinarily every day, once or twice at the least, or so oft as may serve to bring them to some reasonable measure of knowledge and feeling of religion before the expiry of the time prescribed for your remaining there; and let this action begin and end with prayer. Third, Press to have their houses purged of all persons living inordinately whose evil example might be a slander to their profession, especially such as are of suspect religion and found any ways busy in trafficking against the truth and quietness of the estate of the country; and be careful to have all such persons furth of their houses and company. Fourth, Travail to have their kirks planted with sufficient provision of stipends and well-qualified persons; and procure that by their authority and assistance the discipline of the Kirk may have execution within their bounds. Fifth, Persuade them to make honest provision of stipends for the entertainment of resident pastors at their houses and chief dwelling-places, and to make choice of learned, grave, and wise pastors to be planted thereat."[1]

Perhaps this arrangement does not belong to the class of acts universally admitted to amount to persecution. And yet there are tortures attributed to the Inquisition which some men would rather endure than this scheme, dooming them and their families to be ever haunted by a pragmatical priest of a hostile Church armed with powers of exhortation, inquisition,

[1] Book of the Universal Kirk, 985.

and rebuke. Though their authority only lasted for three months, one of their duties was to procure successors for life, with this small difference, that while they themselves were merely to receive temporary hospitality, the permanent tormentors were to be put on a permanent establishment at the expense of their victims. Some time before this domiciliary invasion was adopted, the General Assembly had set it forth that one of the national sins for which the wrath of God was let loose on the land was "the not planting sufficient pastors" in the houses of the Popish lords.[1]

The Church appointed a permanent committee in Edinburgh, who, we are told, "were continually attending the king, because they began to perceive that plots were laid down for the alteration of religion, or the bringing in of liberty of conscience at the least."[2] Their great standing grief was the leniency of the Government to the Popish lords. They had been conquered in battle — why were they not utterly crushed? No account could of course be taken of the worldly and worthless consideration, that the king might be desirous not to frighten a powerful community in that nation which he hoped might some day soon unanimously accept him as their king. The king assured his assailants that he would require the Popish lords to conform to the Church established before he would consent to the withdrawal of the forfeitures; and the Countess of Errol went as her husband's ambassador to his own local synod of Moray, and offered to them his submission. The end of the negotiations, large and small, was the enacting of the edifying ceremony at Aberdeen. It

[1] Calderwood, vi. 114.

[2] Row's History of the Kirk, 184.

must be conceded to their enemies that it was a solemn farce; and that whatever might be in words or the surface of things, there would be, when these earls were restored, a power in the north ready to co-operate with any Popish invader. They thought themselves strong enough to extirpate this power, and they demanded that the idolaters should die the death. This permanent council established in Edinburgh was a very politic device for concentrating such power as the zealots possessed. Besides attending to the great matters of the supremacy of the Church and the extinction of Popery from the land, they performed some smaller duties in their vocation. They sent a deputation to the queen, "to speak and deal" with her, "first, touching her religion; second, her manners for favouring and dealing for the enemies of the truth—namely, the Earl of Huntly—and speaking contemptuously and reproachfully of the ministry; as also her want of godly and virtuous exercise among her maids, and spending of all time in vanity." [1]

There was other matter of greater moment to be looked to at Court. On the 19th of August a royal daughter was born at Falkland. This infant, entering the world in the midst of the troubles of others, was destined in after-life to drift upon her own sea of troubles as the unfortunate Elizabeth of Bohemia. The permanent council of the clergy had strong objection to the sponsor to be selected, and had other fears about the ceremony of the baptism; and "it was thought expedient that such of the nobility as should repair to this baptism" should "be spoken to" as

[1] Calderwood, v. 459.

"brethren had acquaintance and occasion." On the same day "it was thought needful that the council named octavians should be admonished of their duty," and, among other sins of omission, to be called to account for "their negligence in hearing the Word." [1]

So far the permanent council took upon them. They left a higher tone of rebuke to their superior court, the General Assembly, who found that in the palace "on the week-day the repairing to the hearing of the Word is more rare than of before," and that "his majesty is blotted with banning and swearing, which is over-common in courtiers also, and moved by their example." There is a mutilated admonition about the company kept by the king, and a memorandum: "The queen's majesty's ministry to be reformed; and touching her company, her not repairing to the Word and sacraments, night-waking, balling, &c., and suchlike concerning her gentlewomen." [2]

It was perhaps with the view of coming to a general estimate of the amount of work to be done by them in the shape of reformation, that at this time the Assembly came to a conclusion on "the common corruption of all estates within this land." The result certainly did not show that, with all its logical and ecclesiastical perfection, the Church had been heretofore successful as a moral trainer. The document opens about "an universal coldness and decay of zeal in all estates, joined with ignorance and contempt of the Word, ministry, and sacraments; and where knowledge is, no sense nor feeling; which it uttereth

[1] Calderwood, v. 462.

[2] Ibid., 409. "Night-waking" refers to wakes or festivals, and is not to be confounded with "walking."

itself most manifestly by this, that they want religious exercises in their families, as of prayer and of reading of the Word; and where the same, for the most part abused and profaned by cooks, stewards, jackmen, and suchlike; the master of the families ashamed to use their exercises of godliness in their own persons, and no conference at their tables but of profane, wanton, and worldly matters.

"Superstition and idolatry is entertained, which uttereth itself in keeping of festival-days, bonfires, pilgrimages, singing of carols at Yule.

"Great blasphemy of the holy name of God in all estates, with horrible banning and cursing in all their speeches.

"Profanation of the Sabbath, and specially in seed-time and harvest, and common journeying on the Sabbath, and trysting and worldly turns, exercising all kind of wanton games, keeping of markets, dancing, drinking, and siclike."

The document becomes somewhat more descriptive of prevailing vices than the decorous habits of modern literature would sanction, and ends with a curious memorandum of social conditions, in the prevalence of "idle persons having no lawful callings—as pipers, fiddlers, songsters, sorners, pleasants, strong sturdy beggars, living in harlotry, altogether contemning Word and sacraments. Lying, finally, is a rife and common sin."[1]

The clergy, at the same time, looked to the ordering of their own house; and there they made provision for the remedy of defects sounding not less grotesque than those which were found to taint the lay com-

[1] Book of the Universal Kirk, 873; Calderwood, v. 409, 410.

munity, and not calculated to give an impression that the bulk of the clergy were either very high-minded or very pure:—

"That such as are light and wanton in their behaviour—as in gorgeous or light apparel, in speech, in using light and profane company, unlawful gaming, as dancing, carding, dicing, and suchlike, not beseeming the gravity of ane pastor—be sharply and gravely rebuked by the presbytery, according to the degree thereof; and continuing therein after due admonition, that he be deprived as slanderous to the Gospel.

"That ministers being found swearers or banners, profaners of the Sabbath-day, drunkards, fighters, guilty of all these or any of them, to be deposed *simpliciter*; and suchlike liars, detractors, flatterers, breakers of promises, brawlers, and quarrellers, after due admonition, continuing therein, incur the same punishment.

"That ministers given to unlawful and incompetent trades for filthy gain—as holding of hostelries, taking of ocker [usury] beside good conscience and laws, and bearing worldly offices in noble and gentle men's houses, merchandise and suchlike, buying of victual and keeping to dearth, and all other worldly occupations as may distract them from their charge and be slander to the pastoral calling—be admonished and brought to the acknowledgment of their faults; and if they continue therein to be deposed."[1]

Let us now follow up the political conclusion to which the activity and zeal of the ecclesiastical leaders was bringing the Church itself.

[1] Book of the Universal Kirk, 866.

In August 1596 there was a meeting of the Estates in Falkland, where they acted as a great council to discuss the case of the Popish lords. It was arranged that a deputation of ministers should also attend. Andrew Melville was not one of these. The king did not desire his presence, and it even appears that he was not chosen by his own brethren to serve on the deputation. Still he was there, and by no means in a humour to conceal his presence. To obviate any dubiety and confusion, it was arranged that the members of the deputation should be individually invited into the hall by name. By the younger Melville's account, "the king causes the ministers to be called upon by name, and letten in—leaving out Mr Andrew, who came in with the foremost. The king finding fault with him that came there uncalled, he answers: 'Sir, I have a calling to come here by Christ Jesus the King, and His Kirk, who has special interest in this business, and against which directly this convention is met; charging you and your Estates in His name, and of His Kirk, that you favour not His enemies whom He hates, nor go not about to call home and make citizens these that have traitorously sought to betray their city and native country to the cruel Spaniard, with the overthrow of Christ's kingdom, for the which they have been therefore most justly cut off as rotten members; certifying, if they should do in the contrary, they should feel the dint of the wrath of that king and his Estates!' And, breaking on in particular upon the greatest part of that convention, with plain speech and mighty force of zeal he challenged them of high treason, both against Christ and the king, against the Kirk and country of Scotland,

in that purpose and counsel they were about.' But the king interrupted him, and commanded him to go out; whose command he obeyed, thanking God that they had known his mind, and got His message discharged."[1]

In the following September there was an Assembly at Cupar, in Fife. The king was at Falkland, but a few miles off, and a deputation was sent to him. How that deputation fared cannot be so well told as in the words of the younger Melville :—

"So Mr Andrew Melville, Patrick Galloway, James Nicolson, and I came to Falkland, where we found the king very quiet. The rest laid upon me to be speaker, alleging I could propone the matter substantially, and in a mild and smooth manner, which the king liked best of. And entering in the cabinet with the king alone, I show his majesty that the commissioners of the General Assembly, with certain other brethren ordained to watch for the well of the Kirk in so dangerous a time, had convened at Cupar. At the which word the king interrupts me, and angrily quarrels our meeting, alleging it was without warrant and seditious, making ourselves and the country to conceive fear where there was no cause. To the which I beginning to reply in my manner, Mr Andrew could not abide it, but broke off upon the king in so zealous, powerful, and unresistible a manner, that howbeit the king used his authority in most crabbed and choleric manner, yet Mr Andrew bore him down, and uttered the commission as from the mighty God, calling the king but 'God's silly vassal;' and taking him by the sleeve, says this in effect, through much hot reasoning

[1] Melville's Diary, 368.

and many interruptions: 'Sir, we will humbly reverence your majesty always—namely, in public. But since we have this occasion to be with your majesty in private, and the truth is, you are brought in extreme danger both of your life and crown, and with you the country and Kirk of Christ is like to wreck, for not telling you the truth, and giving of you a faithful council,—we must discharge our duty therein, or else be traitors both to Christ and you! And therefore, sir, as divers times before, so now again I must tell you, there are two Kings and two Kingdoms in Scotland. There is Christ Jesus the King, and His Kingdom the Kirk, whose subject King James the Sixth is—and of whose kingdom not a king, nor a lord, nor a head, but a member! And they whom Christ has called and commanded to watch over His Kirk and govern His spiritual kingdom, has sufficient power of Him and authority so to do both together and severally; the which no Christian king nor prince should control and discharge, but fortify and assist, otherwise not faithful subjects nor members of Christ.'"[1]

There was much more of this, but perhaps enough has been given to reveal the character of the scene. Perhaps the best testimony we have of the young king's power to command his temper is in the conclusion, where the diarist says he dismissed the unwelcome visitors pleasantly, with many attestations that he knew not of the returning of the Popish lords till they had returned, and that "they would get no grace at his hand till they satisfied the Kirk."

[1] Melville's Diary, 369, 370. It may be noted that the word "silly," as used in Scotland, means merely weak, and is more frequently applied to physical than mental weakness.

It was arranged that the pulpits should open upon the king with a general discharge, like a broadside in a sea-fight. It so happened that one of them, David Black, from his pulpit in St Andrews, fired at Queen Elizabeth as well as his own peculiar enemy. In the course of a testimony against the Prelatic Church of England, he applied to its head, the queen, among other terms, that of "atheist." Bowes, the English ambassador, demanded an explanation on the report made to him, that a subject of a power in close alliance with England had so spoken of his sovereign. A better opportunity for becomingly beginning the struggle could not have been invented. Black was cited before the tribunal of the king in Council to answer for the words spoken by him.

The matter was discussed by the clerical council, who determined that their brother should not appear. They put their reasons into a State paper called "The Declinatour of the King and Council's judicature in matters spiritual—namely, in preaching of the Word: given in to the same at Halyrood House by Mr David Black, minister at St Andrews, in his own name, and name of his whole brethren of the ministry, the 18th day of November 1596." A copy of this paper was transmitted to each presbytery of the Church, accompanied by a persuasive letter appropriate to the text, "If we suffer with Him, we shall reign with Him (Romans viii.)," in which each minister was desired to sign "The Declinatour."[1]

There was a formal trial before the king in Council, with evidence led. Black was convicted, and the

[1] Calderwood, v. 457-60. The text is not in Romans, but in 2 Timothy ii. 12.

judgment was that he should "enter his person in ward" somewhere beyond the North Esk river.[1] These matters naturally raised some excitement in Edinburgh, which was increased by an order in Council, that certain clergymen, and twenty-four zealous burgesses who were believed to be their abettors, should remove from the city. Rumours about violent counsels and a bloody persecution were circulated, and it was said that the great enemy Huntly himself had been with the king late at night. This was improved by Mr Walter Balcanquall, who had to preach in St Giles's; and after a vehement address, he suggested that the faithful should hold a meeting in one of the chapels of St Giles called "the little church." Thither they rushed, and there was all the confusion incident to a larger number than a place can hold scrambling for admission. A portion of those present were hurriedly resolved into a deputation to wait on the king. He was with some of the Council hard by in the Tolbooth, where the Estates and the courts of law held their meetings. The excited deputation broke in upon the meeting, followed by a miscellaneous crowd. After some hasty talk, the king left the room and closed himself into the court-room where the Lords of Session were sitting. The deputation went back to the little church to announce that they had not been heard. As of all affairs of the kind, the accounts are confused and various. The following, which is the most picturesque, must also be noted as the Episcopalian account:—

"They that were sent, returning to the church, show that they were not heard; nor was there any

[1] Calderwood, v. 493.

hope, so long as the counsellors remained about the king, that they should receive any favourable answer, and were therefore to think of some other course.

"'No course,' said the Lord Lindesay, 'but one: let us stay together that are here, and promise to take one part, and advertise our friends and the favourers of religion to come with us; for it shall be either theirs or ours.' Upon these speeches followed such a clamour and lifting up of hands, as none could hear what another spake. The sedition increasing, some cried to arm, others to bring out Haman (for whilst the lords were with the king, Mr Michael Cranstone, minister of Cramond, had been reading to the people that story); others cried, 'The sword of the Lord and of Gideon!' and so great was the fury of the people, as if one of the deacons of crafts, called John Wat, had not kept them back with a guard of craftsmen that followed him, they had undoubtedly forced the doors and wrought some mischief. Sir Alexander Hume, provost of the town, was then lying sick; yet being told what a tumult was raised, he came to the street, and as he was wise and skilful in handling the people, with his fair speeches brought them after a little time to lay down their weapons and retire to their lodgings."[1]

Whatever there was of the nature of a riot was soon over, for the king and his Council walked quietly down to Holyrood. Next morning the Court retreated, or rather fled, to Linlithgow.

Of that British institution called, towards the close of last century, a "no-Popery mob," Edinburgh thus enjoyed the distinction of possessing the oldest specimen. It was yet, however, in its infancy, and the

[1] Spottiswood, 429.

flight of the Court, as if in terror, was either a folly or a pretence. It was determined, however, to seize the opportunity. At the market-cross of Edinburgh a proclamation was issued, intimating that the king, seeing that by persuasion of the ministers "a multitude of the townsmen had treasonably put themselves in arms, intending to bereave his majesty and the Council of their lives,—did think the said town an unfit place for the ministration of justice, and therefore had ordained the Lords of Session, sheriffs, commissaries, and justices, with their several members and deputies, to remove themselves forth out of the town of Edinburgh, and repair unto such place as should be appointed."

This was a formidable announcement to the burgesses; and if its completion might array them in enmity to the Court, the fear of such a result cooled any devotion they might have to the clergy who were bringing on the calamity. A pacificatory influence was thus established; the elements of discord subsided, and on the 1st of January 1597 the king re-entered his capital in such placid state as was likened to a classic triumph. A group of the more zealous clergy at the same time thought it wise to take refuge in England, since it was announced by the Court that the riot was to be dealt with as an act of treason, and the magistrates offered to deliver up those who had fostered it.

CHAPTER LXI.

To the Union of the Crowns.

CONTEST WITH THE ECCLESIASTICS—THE CRITICISM ON THE KING AS AN AUTHOR—EPISCOPACY AGAIN TRIUMPHANT—THE KING HUNTING IN FALKLAND—BEGUILED TO GOWRIE HOUSE—THE ADVENTURE THERE KNOWN AS THE GOWRIE CONSPIRACY—THE REVELATIONS SHOWING THE IMMEDIATE INTENTION OF THE CONSPIRATORS—THE MYSTERY ABOUT THEIR ULTIMATE OBJECTS—POLITICAL INFLUENCE OF THIS MYSTERY—THE DOUBTS AND DIFFICULTIES OF THE CLERGY—POSITION OF THE ENGLISH SUCCESSION—CONFIDENTIAL CORRESPONDENCE—ENGLISH STATESMEN TURNING TO THE RISING SUN—THE ANNOUNCEMENT OF THE DEATH OF QUEEN ELIZABETH.

It was now resolved to hold a General Assembly in the king's name. The place of meeting was to be at Perth. This was a thoroughly wise measure. No one could complain that the spot was partially chosen, since no other considerable town is so unmistakably in the centre of Scotland. The zealots with whom we have heretofore had to deal were concentrated in Fife and Mid-Lothian. In the north, Protestantism tended more to an Episcopal texture. There the zealots had been dictatorial, and were styled "the Popes of Edinburgh." They had assumed authority for the Church at large, and had done many things which made their northern brethren not only ashamed but angry. An Assembly,

supplied from the north as well as the south, and also unusually large, thus met in February. The great matters at issue were discussed under a preliminary document called the fifty-five questions. These, and the discussion on them, are as intricate as a long lawsuit, and would be as little interesting to the lay reader. I adopt from a clerical pen what appears to be a fair and clear abridgment of the chief results :—

"The answers, as first framed, did not satisfy his majesty; but the Assembly was compliant, and they were so altered as to gratify his wish. In these answers it was declared lawful for his majesty to propose to the General Assembly any matter affecting the external government of the Church which he might wish to see discussed or reformed; no minister was to reprove his majesty's laws till he had first sought a remedy through the Church courts; no man's name was to be mentioned in pulpit rebukes unless his sin was notorious, and notoriety was defined to consist in the person being fugitive, convicted by an assize, excommunicated, or contumacious; no minister was to use any application in his sermons but such as had for its object the edifying of his own flock; the presbyteries were to take diligent account of the doctrine of every pastor within their bounds; every summons issued by Church courts was to mention the cause and the crime; the ministers were not to hold any meetings beyond the ordinary sessions, presbyteries, and synods; and in all the principal towns the ministers were to be chosen with the consent of the congregation and the king."[1]

In November there was a meeting of the Estates,

[1] Cunningham's History of the Church of Scotland, i. 543.

who passed a very significant Act. It narrated the king's affection for the true and holy Kirk of Scotland, and provided that "such pastors and ministers within the same as at any time his majesty shall please to provide to the office, place, title, and dignity of ane Bishop, Abbot, or other Prelate, shall at all time hereafter have vote in Parliament, suchlike and as freely as any other ecclesiastical prelate had any time bygone."[1] This, it will be noted, made no interference with the internal discipline of the Church; the prelate was to be a lord of the secular Parliament, but the Act gave him no spiritual jurisdiction or precedency over the clergy. It contained one clause on which they might act. None but actual ministers were to be promoted to the new dignities; and it would rest with the Church itself to decide whether it would permit the accepter of such a dignity to remain in its bosom.

In the year 1600 the Church met the spirit, though not the form, of this Act in an independent measure of its own. It authorised the Church to be represented in Parliament by certain ministers, each of whom was to be selected by the king out of a leet of six. They were to be called Commissioners, and to devolve their power annually back on the General Assembly. In the Church they were only to be ministers. Archbishop Spottiswood says, with much meaning: "To have matters peaceably ended, and the reformation of the policy made without any noise, the king gave way to these concerts, knowing that with time the utility of the government which he proposed to have established would appear, and trusting that they whom he should place in these rooms would, by their care for the

[1] Act. Parl., iv. 130.

Church, and their wise and good behaviour, purchase to themselves the authority which appertained."[1]

Now the zealots had tried their powers and found them insufficient, even with their own order. In their retreat from the contest, however, a Parthian arrow was aimed very adroitly at the king. He had been busy with the 'Basilikon Doron' already referred to. Certain passages had been obtained from this book by a lover of mischief, who so directed them that they found their way to the synod of Fife as the production of an unknown author. The assertions of divine right and uncontrolled authority over all orders of men would be all the more irritating to such a body that they were gathered out of various parts of the book and put in sequence. It would be hard to say whether the clergy were sincere in discussing the passages as the work of an author unknown: "The synod judged them treasonable, seditious, and wicked, thinking that such things should not be, and directed them to the king."[2] How his majesty took this hint to deal with the treasonable and seditious writings of an unknown author we are not told; but the affair became his excuse for having the complete book published.

The first year of the seventeenth century in Scotland is marked by the calendar then and ever after beginning the year with the 1st of January. The same year, 1601, became memorable in Scotland for the mysterious affair called the Gowrie Conspiracy, of which some account must now be given.

The story begins at six o'clock on the morning of Tuesday the 5th of August, when the king and his

[1] Vol. iii. 82. [2] Melville's Diary, 444.

retinue had assembled to have a buck-hunt in the park of Falkland, in Fifeshire. As the king was going to mount, a youth made his appearance, and was recognised as Alexander Ruthven, the brother of the Earl of Gowrie, known as the Master of Gowrie. He approached the king anxiously, and knelt, making a very low reverence—a reverence which, as it was remarked at the time, was not consistent with his usual practice. He had a very odd affair to reveal. The evening before, taking a meditative walk in the fields, he beheld a man of a suspicious aspect, with a cloak wrapped closely round him, which partially concealed his face. On closer inspection it was found that he concealed a bulky article under this cloak. The article was examined, and found to be a pot or urn filled with foreign gold pieces, enough to make a rich prize. Ruthven said he seized the man, and, unassisted, conveyed him into a distant chamber where he would be thoroughly concealed, and there left him bound.

The king, by his own account, said he could not see how he was interested in the matter. Had the money been found underground, it would have been treasure-trove, and thus the property of the Crown; but he had no right to take it from its owner. Ruthven remarked that virtually it was in this position, for the unknown stranger said he was going to bury it; but he made more progress by rousing suspicions in the king about foreign supplies brought for distribution among the Roman Catholics by some trafficking priest. The king proposed to send a messenger to direct the magistrates of Perth to detain both the man and his treasure until the royal pleasure should be further intimated to them. But this did not satisfy Ruthven. If the magistrates

of Perth and his brother got scent of the money, his majesty would have small share of it; and in his zealous loyalty Ruthven desired that the king should have the whole. But the game was started, the followers were all mounted and impatient for the hunt, so the king rode off with them, saying he would ponder over this marvellous affair.

As he pondered, it began to take hold of his mind. The chase was an exciting one, "being one of the greatest and sorest chases that ever his majesty was at;" but the excitement of the news almost overcame that of the chase. The king lagged behind, and sent for Ruthven. He said he had made up his mind to ride to Perth when the chase was over, and kept Ruthven by him as he followed the rest. It was about eleven o'clock ere the buck was killed. The king did not stop to essay the quarry, according to his wont, but rode off with his companion. There was so much impatience on the one or the other part, that though his horse was exhausted, he rode on, directing a fresh horse to be sent after him; and he merely explained to those around him at the moment that he was going to St John's Town, at that time the usual name for Perth, to speak with the Earl of Gowrie. The king maintained that Ruthven pressed him not to take Mar, Lennox, and the rest of his train, lest they might mar the purpose on hand, and to content himself with three of his menial domestics; but in this he would not be ruled. About twenty horsemen accompanied him to Perth, about twelve miles from Falkland.

As the king rode on, he beckoned to the Duke of Lennox, the son of his old favourite D'Aubigné, who was some half-dozen years younger than himself.

"His highness inquired of him," he said, "of what humour he thought Mr Alexander to be of? who answered, that he knew nothing of him but as an honest discreet gentleman." Then the king told the story of the treasure, on which, by his own account, Lennox said, "I like not that, sir, for it is not likely." Twice he said the king told him to take notice when he passed aside with Alexander Ruthven, and to follow him. On reaching Bridge of Earn, Alexander rode on before, and brought his brother, the earl, with a few followers, to meet the cavalcade on the South Inch.

The absurdity of the king's conduct naturally staggers, on the very threshold of the adventure, any one to whom his character is new. But familiarity with his ways and moods will reconcile one to his conduct in this affair. He had ever a diseased appetite for the unrolling of secrets. Partly it was an impulsive boyish curiosity; but partly, also, it was an indulgence in a self-conceited reliance on his own wonderful capacity for solving mysteries which baffled all the scrutiny of less-gifted investigators. We shall find, too, that he delighted in the casual acquisition of a sum of money coming to him as a private pose which no State exigency could drain off. Thus the Ruthvens had skilfully assailed two of the weak elements in his character.

The site of Gowrie House will be recognised by that of the county jail and court-house of Perth, to make room for which it was removed at the beginning of the present century. Fortunately, accurate plans and drawings have been preserved, which let us see all the scenes of the curious drama that was to be enacted within its walls. It was said that there were within it many ancient vaults and recesses; but externally it

was a turreted chateau in the French style, then prevalent in Scotland, and was in all respects the handsome town hotel of a wealthy family. The front was towards the town, where there was a high wall and an entrance-gate. At right angles to this wall two ranges of high buildings made the north and the south boundary of a courtyard; while towards the river another building, parallel to the wall, nearly completed the four sides of a quadrangle. The gables of the two buildings to the north and to the south were a continuation of the wall, so that the windows of them looked out upon the town. At the south-east corner of the northern building, and consequently overhanging the wall, was the turret or "round" where the great adventure of the day occurred. A little to the west of this was a narrow turnpike stair called "the black turnpike," probably because it was windowless and dark; and it has to be noted that this gave direct access to the "round" or turret, while the great stair case did not. At the corner of the quadrangle where the building on the west side stood at right angles to the northern wing, there was a narrow square projecting tower which contained this great staircase. Behind the house were gardens; and it is important to observe that these sloped to the edge of the Tay, there a strong stream, deep and navigable by small craft. To those unacquainted with the spot, it may be sufficient to note that in front of the house there was a town, and behind it a river.

There was no hospitable preparation in the house for the reception of a royal guest. The king's followers saw, or afterwards imagined that they had seen, an appearance of excitement, restlessness, and anxiety in

the deportment of the two brothers. An effort was made to provide such a repast as a noble household might supply to distinguished but unexpected guests. The minute investigations subsequently made, reveal to us the items of the king's dinner on that day. George Craigengelt, the cook, testified that he was told of the sudden arrival, and ordered to cook dinner for the king. When he came to the kitchen he "found no appearance of meat for the king." His first step was to "send out to Duncan Robertson's house, where he got a murefowl." Thereafter he "caused make ready a shoulder of mutton and a hen, whilk was long in doing; and he thereafter went up and brought down some strawberries, and dressed five or six dishes of dessert."

The king dined in a separate apartment on the ground-floor of the north wing; the attendants dined in the great hall on the same floor. To these the earl came with a cup of wine, telling them that the king had sent it that they might drink the "skall" to him, a term which he had probably brought from Denmark.

Soon after this Alexander Ruthven beckoned the king aside. Lennox said he asked the earl where the king had gone to, and got for answer "that his majesty was gone up quietly some quiet errand." The earl then, according to Lennox, called for the key of the garden, and went into it, lounging with a few of the courtiers—it was a summer day, and just after dinner. Thomas Cranston, one of the earl's domestics, came speedily into the garden, calling out that the king had gone forth by the back gate, and was riding through the Inch. On that the earl cried out, "Horse! horse!" and though his domestic told him that his horses were

on the other side of the Tay, he still continued the cry. Lennox passed through the quadrangle to the gate, and asked the porter if the king had gone forth, but was told that he had not. The earl then said he would go and get certain intelligence; and returning, he assured them that the king had gone out by the back gate, and was well on his way. On this the group of courtiers passed out, and stood, apparently in hesitation and consultation, in front of the gate. There they were close under the turret which overhung the wall from the corner of the north wing. Lennox testified that as they stood there he "heard a voice, and said to the Earl of Mar, 'This is the king's voice that cries, be he where he will;' and so," he continues, "they all looked up to the lodging, and saw his majesty looking furth of the window wanting his hat, his face being red, and one hand gripping his cheek and mouth; and the king cried, 'I am murdered! Treason! My Lord Mar, help! help!'"

How this group acted when they beheld this startling vision may best be told from the testimony of Lennox: "They all ran up the stair of the gallery-chamber, where his majesty was, to have relieved him; and as they passed up they found the door of the chamber fast; and seeing a ladder standing beside, they rasht at the door with the ladder, and the steps of the ladder brake: and syne they send for hammers; and notwithstanding large forcing with hammers, they got not entry at the said chamber until after the Earl of Gowrie and his brother were both slain; that Robert Brown past about by the back door, and came to his majesty, and assured his highness that it was my lord duke and the Earl of Mar that was stricking up

the chamber-door; and the hammer was given through the hole of the door of the chamber, and they within brake the door and gave them entry; and at their first entry they saw the Earl of Gowrie lying dead in the chamber, Mr Alexander Ruthven being slain and taken down the stairs before their entry; and at their first entry within that chamber where the king's majesty was, the deponent saw sundry halberts and swords stricking under the door of the chamber and sides thereof, by reason the same was nae closs door; and knew none of the strickers, except Alexander Ruthven, one of the defenders, who desired to speak with this deponent through the door, and speird at him, 'For God's sake tell me how my Lord of Gowrie was!' to whom this deponent answered, 'He is well:' and the said deponent bad Alexander to gang his way; and that he was ane fool."

We must now follow the other actors in the tragedy to the turret chamber. The king, when he was beckoned away, said he desired one or two followers to attend him, but Ruthven objected, and they went together. Passing up the great staircase, and along a corridor, Ruthven took him through several chambers, ever locking each door behind him. When they came to the turret chamber, instead of a chained captive, the king beheld an armed man standing there.

In the narrative afterwards issued by authority, which may be called the king's narrative, there is a minute account of the scene acted within the turret chamber. The man in armour gave his story of it once in a preliminary examination, and again on the trial. His two accounts substantially agree with each other, and with the king's account; and as it would

be useless to attempt to correct what he says if we should suppose his story incorrect, it seems to be the best plan to give here the narrative as taken down and recorded from his second and fuller testimony:—

"Mr Alexander opens the door of the room, and entered first within the same, having the king's majesty by the arm; and putting on his hat upon his head, draws forth this Andrew Henderson deponent's hanger, and says to the king, having the drawn hanger in his hand, 'Sir, you must be my prisoner; remember on my father's death.' And as he held the hanger to his majesty's breast, this deponent threw the samen furth of Mr Alexander's hands. And the time that Mr Alexander held the hanger to his majesty's breast, the king was beginning to speak. The Master said, 'Hold your tongue, sir, or, by Christ, ye shall die!' Then his majesty answered, 'Mr Alexander, ye and I were very great together; and as touching your father's death, man, I was but a minor. My Council might have done anything they pleased. And farther, man, albeit ye bereave me of my life, ye will not be King of Scotland; for I have both sons and daughters; and there are men in this town and friends that will not leave it unrevenged.' Then Mr Alexander answered, swearing with a great oath, that it was neither his life nor blood that he craved. And the king said, 'What traiks albeit ye take off your hat;' and then Mr Alexander took off his hat. And the king said, 'What is it ye crave, man, an ye crave not my life?' Who answered, 'Sir, it is but a promise.' The king answered, 'What promise?' The said Mr Alexander answered, 'For my lord my brother will tell you.' The king said, 'Fetch hither your brother.'

And syne the said Mr Alexander said to the king, 'Sir, you will not cry nor open the window while I come again?' And the king promised so to do. Then Mr Alexander passed forth and locked, and passed not from the door, as he believes. In the mean time the king entered in discourse with this deponent, 'How came you in here, man?' And this deponent answered, 'As God lives, I am shot in here like a dog.' The king answered, 'Will my Lord of Gowrie do me any evil, man?' This deponent answered, 'I vow to God, I shall die first.' And then the king bad this deponent open the window, and he opened the window that looked to the Spey tower; and the king answered, 'Fy, the wrong window, man!' And thereafter, this deponent passing to the other window nearest his majesty to open the same, before he got to the window, Mr Alexander opened the door and came in again, and said to his majesty, 'By God! there is no remedy;' and then he loups to the king, and got him by both the hands, having ane garter in his hands. Then the king answered, 'I am a free prince, man; I will not be bound:' so his majesty cast loose his left hand from Mr Alexander, and at the same time this deponent draws away the garter from Mr Alexander, and his majesty loups free from the said Mr Alexander, and the said Mr Alexander follows his majesty, and with his left hand about his majesty's craig, puts his right neeve in his majesty's mouth. So his majesty wrestling to be quit of him, this deponent puts his hand out of his majesty's mouth. And thereafter this deponent did put his left hand over his majesty's left shoulder, and pulled up the broad of the window, whereunto the said Mr Alexander had thrust his majesty's

head and shoulders; and with the force of the drawing up of the window, presses his majesty's body about, his right side to the window; at which time his majesty cries furth, 'Treason! treason!' So the Master said to this deponent, 'Is there no help with thee? Wo worth thee, thou villain! we all die.' So twining his hand on the guard of his own sword; and incontinent the king's majesty put his hand on the Master's hands and staid him from drawing of his sword; and this ways, they both being grasped together, comes furth of the cabinet to the chamber; and in the mean time this deponent threw about the key, then standing in the door of the head of the turnpike which entered to the chamber, and opened the door thereof, to eschew himself, and to let his majesty's servants in; and how soon he opened the door, John Ramsay came in at the said door with an haulk on his hand, and passed to the king's majesty and laid about him, and drew his hanger; and as he saw him minting with the hanger, this deponent passed furth at the said door and passed down the turnpike."

We may now look to the manner of this rescue, which arrived earlier than the party at the gate who heard the king's cry, having taken a shorter way than theirs, which was by the great staircase. Sir John Ramsay, a young man of twenty-three years, was one of the king's party. He had eaten of the dinner provided for them in Gowrie House; and seeing that John Murray, who held the king's hawk, was going to dine, he relieved him of the hawk. Missing the king, like the others he "forgathered" with the Laird of Pittencrieff in the great hall, and asked him where his majesty was. Pittencrieff took him to the chamber

where the king had dined, then to the yard; and not finding the king in either, took him to "a fair gallery," so fair that "both remained a certain space beholding the gallery." They then came down to the quadrangle outside, where Thomas Cranston informed them that the king was away riding through the Inch. On this the two separated, and Ramsay went out at the gate—the same where the others heard the cry—to the stable to get his horse. Standing at the stable-door, "he heard his majesty cry—knew his majesty's voice, but understood not what he spake." He ran back into the court, and observed the door of the black turnpike open. He ran up the narrow winding stair. Finding a closed door, and hearing from the other side of it "a struggling and din of men's feet," he threw himself against the door and burst it open. He saw the group within—the man in armour standing placidly apart, but the other two in desperate struggle, "his majesty having Mr Alexander's head under his arm, and Mr Alexander being almost on his knees, had his hand upon his majesty's face and mouth." The king called to him to strike low, "because he has ane pyne doublet" or secret coat of mail. Ramsay, thus instructed, stabbed Ruthven. The king then with his own hands hurled the wounded man down-stairs. Sir Thomas Erskine and Sir Hugh Herries coming up, Herries extinguished what life was in him; "and as he was fallen, he turned his face and cried, 'Alas! I had na wyte of it'"—that is, that he was not to blame. Ramsay said that when he drew his dagger he had to let go the king's hawk; and he noticed that the king set his foot on the hawk's leash, and so kept it till Ramsay could hold it again. Ramsay was joined by Sir Thomas

Erskine, whom he saw and called up from the window. Before this the man in armour had disappeared.

Thus all that happened within the turret made a very distinct story. What was going on outside was more confused. There was in the quadrangle and the street in front a general tumult and exchange of hasty words. Some men were observed carrying in a wooden beam, as if to batter in a door. There was a sense of some great danger; but whether it had befallen the Gowrie party or the king's party was uncertain. Gowrie himself was moving about like one flustered and purposeless. One of the king's followers said, that after the king's cry had been heard from the turret window, "he saw James Erskine incontinent lay hands on the Earl of Gowrie upon the High Street; and immediately Sir Thomas Erskine gripped the Earl of Gowrie, who incontinent ran the space of half a pair of butlands from them towards Glenurchy's house, and drew forth his two swords and cried, 'I will either be at my own house or die by the gate.'" So he entered the gate followed by about thirty men. One of his followers named Cranston said he found the earl struggling at the gate with some of Tullibardine's people, and that he relieved him from their hands. He then asked his master "what the fray was, and what he should do;" and only hearing from him something about going to his own house, he said he would go on before, but prayed his master to tell him "whom at he would strike, for he knew not wha was party." As they pressed onwards, some one put "a steel bonnet" on the earl's head, and this bonnet was recognised by the man in armour as his own. People cried out that his brother was slain. Coming to the black turnpike,

they found him at the foot of the stair. The earl called out to his followers, "Up the stair." Five of them accompanied him up the black turnpike, all with drawn swords. Ascending, they found at the door of the turret chamber "Herries presenting his sword to stop the entry." Cranston said, "Yail thief, dare thou!" and, "Thief, if thou be innocent of yon slaughter, come forth and I shall warrant thee."

At the door of the turret chamber they were six to the three within, who were the king, Ramsay, and Erskine. There was some show of fighting between the two parties, and one or two were hurt. Here again it was Ramsay's fortune to give the final and effective blow. According to Erskine's account, he "heard my Lord of Gowrie speak some words at his entry, but understands them not. At last Sir John Ramsay gave the Earl of Gowrie ane dead stroke, and then the earl leaned him on his sword, and the deponer saw ane man hold him up, whom he knew not."

This, the great act of the tragedy, which can have only lasted a few minutes, passed unknown to Lennox, Mar, and the others who had rushed up the great staircase, as we have seen, on the first exhibition of the king's face at the turret window. They were met by a strong door, which no efforts that they could make with hammers, axes, and a ladder used as a battering-ram, could force. They heard the mysterious sounds of what was doing on the other side. The party in the turret from their side heard the cries and the battering at the door, without knowing whether it betokened friends or enemies; the former were the majority, but among them were Eviot, a page, and other retainers of the house of Ruthven. The turret

party did not know the character of the group till one came round by the black turnpike and told them. To understand the exact position of the two groups it is necessary to remember that the turret chamber, or the round, as it was termed, was a recess off a larger chamber. Into this larger chamber the black turnpike entered; but between the chamber and the great staircase was the door that defied its assailants from the outside, and only gave way when attacked from the inside of the chamber.

While these events passed, the town of Perth became excited into high uproar. The common bell or tocsin kept tolling — the bell that of old called the burgesses to meet the "auld enemies of England," but had in later times chiefly warned the citizens of the approach of marauding bands of Highlanders. It was impossible that the multitude should at once know the whole that passed within the turreted mansion; but rumours passed among them that there had been violence, bloodshed, even death, and that their own provost, the head of the mighty house of Ruthven, and one mightier still, the king himself, with his body of courtiers, had been actual participators in the violent fray. The house of Ruthven was very popular throughout the district, and at first the excitement of the mob took a tone of serious menace towards the king and his party. The English clergy, in their anniversary commemorations of the king's escape, made the tumult a substantial item of his perils.[1]

[1] See Hailes on the Gowrie conspiracy, Annals, iii. 474. He quotes Bishop Andrews in 1608: "Last of all, and that worst of all, came the popular tumult, whose rage knows no reason; who as they called Kora and Dathan the people of the Lord, so these little better; and even then also did God by His mighty providence turn away the destruction."

One cried, "Come down, thou son of Seigneur Davie! thou hast slain an honester man than thyself." There were angry allusions to the men in green, the colour of the royal uniform; and one cried out, "Give us our provost, or the king's green coat shall pay for it." One would say, "Green coats, ye have committed murder;" and others called them by such epithets as murderers and butchers.[1]

Some of the crowd demanded that they might see the king, others that they might see the provost. Of what could be noted and remembered in the confusion, the following testimony by a citizen called Alexander Peebles may be cited as a fair specimen. He was in a better position for observation than others, for he said that "during all the time of the tumult he was locked in his own house and looking out at the window; heard Thomas Bisset crying up at the round, 'Is my Lord of Gowrie alive? if he be not alive, he should have amends of all that was therein;' and James Bower cried up the like speeches: would not depart till they saw my Lord of Gowrie; and ane of them two cried up, 'Green coats, we shall have amends of you!' wagging their hands up, saying, 'Ye shall pay for it!' Heard Thomas Elder in Bulbuchtie cry up for ane sight of the Earl of Gowrie. Heard Thomas Taylor cry, 'Traitors and thieves, that has slain the Earl of Gowrie.' Saw John Rintoul, Thomas Bisset, and others of the earl's

[1] The "green" is often alluded to as if it were the royal livery or uniform, yet this is generally believed to have been red. James seems to have worn "the green" in field-sports for some little time after his arrival in England. Francis Osborne, noting one of his earliest hunting expeditions in England, says: "I shall leave him dressed to posterity in the colours I saw him in the next progress after his inauguration, which was as green as the grass he trod on, with a feather in his cap, and a horn instead of a sword by his side."—Secret History, i. 197.

servants, stand in the entry of the foregate with swords in their hands, and would not come from it. Saw one of the Earl of Gowrie's lackies at the entry of the gate put ane steel bonnet on the earl's head. Heard Violet Ruthven and other women cry, 'Traitors! thieves! The Earl of Gowrie had enow to take meat and drink from him, but has nane to revenge his death!'"[1]

The king and his followers dealt soothingly with the irritated mob, and with the assistance of the municipal authorities got them appeased, and for the greater part dispersed to their homes and occupations. The town was in some measure propitiated by the municipality being left in charge of Gowrie House and the two dead men within. Still it was not deemed safe to attempt a passage from the house on the side of the town, so the king and his party took boat and dropped down the river. They went straight to Falkland, where the presence of the magistrates was demanded, and they were questioned and in some measure censured in relation to the tumults.

There hardly can be named a crime or act of violence as to which there stands on record so minute and full an examination as there is of "the Gowrie Conspiracy." Every one who could speak to the facts was examined twice — by the executive, who prepared the case for the Crown, and the Estates, who gave judgment on it — and both records are preserved. Farther, the municipality, at the desire of the king, held a general court of inquiry among the whole "indwellers" in Perth, that they might discover all who had anything to say about the event; so there was an examination "of the

[1] Pitcairn's Criminal Trials, ii. 200.

hail inhabitants of the said burgh, beginning at the Water Gate quarter, and so, orderly through the haill quarters and suburbs of the said burgh." To these inquiries there are still extant the answers or testimony of three hundred and fifty-five persons. By far the greater portion of them had nothing to tell. Of what those who had observed anything could say, some specimens have just been given. The whole examination affords us a curious and minute picture of a burghal community of that period called out by a wild alarm about some emergency or danger, they know not what. Some come forth in full armour with marvellous rapidity; others seize a sword, a tool, or even a stick; while some few appear to have been locked into their houses or workshops by judicious females of their family desirous to keep them out of mischief.[1] In fact the king was in high glory both at his miraculous escape, which seemed a special intervention for the preservation of a life so valuable, and at the prowess he had himself displayed. He was therefore eager for all inquiry and discussion, and thought the world could not be better employed than in investigating the affair and proclaiming the result. It must be admitted that the scattered heap of evidence thus conjured up holds well together, and completes a consistent story, even to minute and trifling details.

The struggle at the turret window was seen by several citizens. In fact it was almost as public, and quite as distinctly authenticated, as the method of any public execution. When the citizens of Perth were

[1] See the "Report by the Bailies and Town Council of Perth of the Examinations and Depositions of the Indwellers in Perth, taken by them by command of the King and Privy Council."—Pitcairn, ii. 192 *et seq.*

afterwards examined in detail, several of them described the scene just as Lennox told it. One of these, for instance, Andrew Ray, bailie in Perth, heard Ruthven's statement that the king had gone, and the porter's assurance that he had not. Standing with the confused group at the gate, he accurately confirms from without what the others had testified both without and within. He noticed the opening of the turret window: "I saw ane ding up the lang-scored window in the north side of the turret, upon the Highgate; but wha dang it up I know not. And farther saw clearly his majesty, bareheaded, shoot forth his head and arm at the foresaid window, and heard his majesty crying loudly, 'Fy, treason! treason!' and 'Murder! Help, Earl of Mar!' whereupon, I being very aghast and wonderfully astonished at that cruel and terrible sight, and pitiful and woful cry—I not knowing what the matter meaned, but perceiving his majesty in extreme and great danger, ran with all possible diligence through the streets, crying loudly, 'Fy, treason! treason against the king! For God's sake, all honest men haste and release the king!' and commanded to ring the common bell, that all men might come in haste to his majesty's relief. And then I returned with all possible diligence, with ane great number of the people with me, and came before the foresaid turret and window where I saw his majesty first cry out, and then I cried out, 'How is the king?' but my lord duke and my Lord of Mar answered, 'The king is well, praised be God!' Then I cried up to his majesty, and show him that the bailies and township was there come in all haste to supply and relieve his majesty; and therefore besought his majesty to com-

mand what was his majesty's will, and best to be done. And then his majesty beckoned forth his hand to me and to the people, commanding me to cause the people retire them to their lodging." And this the bailie declared that he accomplished.

Among other and secondary details, the porter at Gowrie gate confirmed the account of the false story that the king had gone, and gave it special emphasis. The Duke of Lennox asked him if the king had passed forth. He answered that he had not. Mar pressed him, "Tell me of verity if his majesty be forth;" and the answer was, "In truth he is not forth." Then he says: "The Earl of Gowrie, looking with ane angry countenance, said, 'Thou lied; he is furth at the back yett and through the Inch.'" To this the porter made answer, "That cannot be, my lord, for I have the key of the back yett, and of all the yetts of the place." He then described like the others the scene at the window.

At the door of the turret chamber Graham of Balgowan found a garter in the "bent" or sea-rushes strewn on the floor, according to the practice anterior to carpeting. Hearing that Alexander Ruthven had striven to tie the king's hands with a garter, he showed this to the king, who recognised it as the garter he had seen in Ruthven's hands. On that it seems Sir Thomas Erskine "gripped" the garter, and said he would keep it, "whilk he has yet in keeping," as Graham concludes.

When the testimony of those who had witnessed the scene at the turret window, and of those who took part in the affairs inside the house, had been taken, there still remained one essential witness unfound—

the mysterious man in armour who stood in the turret chamber. After an offer of pardon and reward to him if he would reveal himself, he came forward, and proved to be Andrew Henderson, the Earl of Gowrie's chamberlain over his domain of Scone. He was a man of sufficient importance to be individualised by royalty; for the king, when his name was mentioned, said, using a slang expression of the day, that he knew "that smaik." We have already had his account of the scene in the turret. His story has otherwise some curious little particulars which fit in to the minor incidents noticed by other witnesses. He said that on the evening before, the earl had asked him what he was to be about next morning. He said he had to go to Ruthven about some matter with the tenants. The earl bade him stay that journey and attend the Master to Falkland. The Master, Andrew Ruthven, and he rode to Falkland accordingly. The other two went into a house, and Henderson was instructed to observe the king's motions. When the king was visible, he announced this to the Master. He saw the interview, and observed that "the king laid his hand on his shoulder and clapped him, where they spake together by the space of ane quarter of an hour." After the second interview, Henderson was sent to Perth. He was desired by the Master to hasten, "as he loved the Lord Gowrie's and his honour, and advertise his brother that his majesty will be there with a few number incontinent, and cause make his dinner ready." When he reached Gowrie House, and delivered his message, the earl questioned him keenly and anxiously about the reception which the Master had met, and about the number and quality of the people with the king.

The earl then told him to put on "his secret and plate sleeves," because there was a Highlandman to be taken "in the Shoegate." When the earl and his following went out to meet the king, Henderson thought their purpose was the seizure of the Highlander, so he added his steel bonnet and gauntlets to his other armour. The shape in which he put this supposed purpose is curious. When he heard "the noise of their forthgoing," he supposed they "were going to make breeks for Maconnil Dhui." We thus not only know the name of the Highlander likely to be found in the Shoegate, but we have the Perth citizen's familiar way of treating the fettering of a Highlander. It was by putting breeks or breeches on him—a playful allusion, no doubt, to the known deficiency of his race in this garment. Maconnil Dhui would not be alone; and hence, when a concourse issued from Gowrie House, it was presumed that their purpose was to seize him. Seeing that their purpose was different, Henderson sent his steel bonnet away. This steel bonnet he afterwards recognised on the earl's head; and we have seen how another witness said that a steel bonnet was put on the earl's head by one of his people.

After this, Henderson was told by the earl to put himself at the disposal of the Master, who took him to the turret chamber and locked him in it. He said that when left alone a dread of some evil overcame him, and he kneeled and prayed to God. After the scene he described, he managed to slip out and go quietly home, speaking to no one, save that he told his wife that but for his presence the king had been twice stabbed. He seems to have been a person of calm and reflective character; for he says in conclusion, that he "passed

to the bridge, and walked up and down by the space of an hour."[1]

While the Gowrie Conspiracy is peculiar in the closeness and clearness that its external history can be traced with, it is equally remarkable for the profound mystery shrouding the ultimate object of those concerned in it. Some trace we shall find of the probable farther stages of the design, but nothing to explain the political object to be ultimately achieved. Years passed, indeed, before traces could be found that any human being knew what was to be done, save the two brothers who had been sent into eternal silence. Appropriate to this isolation of the conspirators, a story got circulation, which is thus told by Archbishop Spottiswood:—

"I remember myself, that meeting with Mr William Couper, then minister at Perth, the third day after, at Falkland, he showed me that, not many days before that accident, visiting by occasion the earl at his own

[1] It is surely to be much regretted that the picturesque old house rendered memorable by this incident has been removed to leave a site for uninteresting city improvements. Pennant tells us, that in his day (now just a century ago) "Gowrie House is shown to all strangers—formerly the property and residence of the Earl of Gowrie, whose tragical end and mysterious conspiracy—if conspiracy there was—are still fresh in the minds of the people of Perth. At present the house is occupied by some companies of artillery. I was shown the staircase where the unhappy nobleman was killed, the window that frightened monarch James roared out of, and that he escaped through when he was saved from the fury of the populace by Bailey Roy, a friend of Gowrie's, who was extremely beloved in the town."—Journal, i. 89. The house became naturally an object of superstitious awe. It is told how, "upon the Sabbath-day, the tenth, which was the Sabbath after the murther, there were seen in the lodgings where the fact was committed men opening and closing the windows with great flashing, coming to the windows, looking over, and wringing their hands; and the day following, such mourning heard that the people about were terrified."—Calderwood, vi. 49. Stories somewhat like this were told of the Hôtel de Guise on the night of the massacre of St Bartholomew, and of the mansion of the Hamiltons at the Kirk-of-Field on the night of Darnley's murder.

house, he found him reading a book, 'De Conjurationibus adversus Principes;' and having asked him what a book it was, he answered that it was a collection of the conspiracies made against princes, which he said were foolishly contrived all of them, and faulty either in one point or other; for he that goeth about such a business should not, said he, put any man in his counsel. And he not liking such discourse, desired him to lay away such books, and read others of a better subject."[1]

William Rynd, who had been the family tutor, was pressed hard on any words that might have dropped from the earl "anent the duty of a wise man

[1] Spottiswood, 461. No one apparently has succeeded in finding a book with the title 'De Conjurationibus adversus Principes.' There might be a question whether the book meant was that written by Theodore Beza, with the title 'Vindiciæ contra Tyrannos; sive de Principis in Populum, Populique in Principem, legitima potestate. Stephano Junio Bruto Celta, auctore.' A search through this book was not rewarded by the discovery of a passage answering to Gowrie's description. The next point was to remember that this book was an answer to Macchiavelli's celebrated treatise 'De Officio Principis.' The two are so closely connected that they are often bound up together. I possess them thus together in old binding. There might have been a confusion in the words of Gowrie himself between the two sides of the controversy, or in the memory either of the parish minister or Spottiswood. The following passage by Macchiavelli may possibly be the one referred to: "Conjuratorum enim quæ sibi immineant difficultates, penè infinitæ sunt. Re ipsa profectò cernitur, multos quidem conjurasse: quibus verò feliciter cesserit, perpauci admodum fuerunt. Qui enim conjurat, nec solus esse, nec socium sibi asciscere potest, nisi ex iis, quos offensos existimat. Verùm ubi primum offenso cuipiam animi tui consilium aperueris, facultatem concedis, qua sibi cumulatè satis fieri possit: quando quidem detecto animi tui cogitato, in eam ipse spem venit, ut omnia sibi inde commoda polliceri queat. Hîc itaque quæstum ratum et certum cum videat, illic verò incertum, et periculis plenum, par est, ut aut rarus sit amicus, aut quo tibi fidem servet, pervicaci odio in principem sit affectus."—P. 102, 103. Lord Hailes thinks another book by Macchiavelli to have been the one: "From the title and contents of this book, I am much inclined to think that it was the Latin translation of Macchiavelli's discourse on Livy, book iii. c. 6."

in the execution of ane high enterprise." He said, whether to propitiate the questioners or not, that the earl "was ever of that opinion that he was not a wise man that, having intended the execution of ane high and dangerous purpose, communicated the same to any but to himself; because keeping it himself, it could not be discovered or disappointed."

Some mysterious vestiges of magic or sorcery added their dread influence to the strange tragedy. The Ruthven family had an evil reputation as dealers with the black arts. The earl himself was a scholar who had dwelt much in foreign countries, attending universities where such unlawful studies were believed to be pursued without restraint.[1] Dealings in sorcery, necromancy, witchcraft, and magic were the grand accusation which left the accused no hope; for he was immediately the object of a terror, abhorrence, and hatred which disturbed all attempts to weigh the question of guilt or innocence. When the earl's clothes were searched after his death, nothing else was found in them, according to the king's statement, "but a little close parchment bag full of magical characters and words of enchantment." As to these, according to the same account, it was observed, "that while they were upon him, his wound whereof he died bled not; but incontinent after the taking of them away, the blood gushed out in great abundance, to the great admira-

[1] Queen Elizabeth wrote a letter of congratulation to King James, making some lively remarks on Gowrie's connection with the powers of darkness: "When they say that he had a thousand spirits his familiars, I suppose none were left in hell, so many were in the earth; and therefore ye may joy the more that God doth the better defend thee, that no infernal power bears any sway when a higher force make defence."—Rolls House, MSS. (Scotland), lxvi. 19.

tion of all the beholders, an infamy which hath spotted the race of this house for many descents, as is notoriously known to the whole country." It was an obvious inference, that the bleeding might have been caused by the handling of the body, or the removal of any portion of clothes acting as a cincture. The poor tutor was much questioned about the "magical characters," as he admitted that he had seen them at Padua. The earl had given irritable answers when questions were asked about them, and acted as if he felt their safe possession of the utmost moment. He seems to have dealt in a pursuit fashionable among the students of the age—the mystical combinations of letters, forms, and arithmetical calculations, to which the old doctrine of the cabala had degenerated.[1]

For all the horror thus conjured up, there was a strong party in the country who leaned to the doctrine that the house of Gowrie had got foul play. They had been a great power in the State. They were the immediate rulers over a broad domain, covering central Scotland from Ruthven on the Spey almost as far south as the Forth. The earl was Provost of the city of Perth, and hence the feudal protector of its burgesses. The family represented the leading influence among the Protestant lords of the Raid of Ruthven, and were thus the hereditary leaders of the Presbyterian party—their stay and support. It served to nourish suspicions for a time, that the only two persons to whom the king's party could point as con-

[1] One of the clergy, Patrick Galloway, in a celebration sermon, pithily summed up the tenor of these revelations, in saying that the earl "was an atheist, an incarnate devil, a studier of magic, a conjurer with devils, some of whom he had under his command."

nected in any way—even the slightest—with a plot against the king, had both been put to death before they could say a word for themselves. But their death was inevitable, if it were practicable. The small group in the turret, surrounded as they appeared to be by enemies, were in the position where self-preservation is naturally sought in the death of each assailant; and as King James afterwards naturally enough said, he had neither God nor the devil before him.

The theory that the whole was a plot of the Court to ruin the powerful house of Gowrie, must at once, after a calm weighing of the evidence, be dismissed as beyond the range of sane conclusions. Those who formed it had to put one of the very last men in the world to accept of such a destiny, into the position of an unarmed man, who, without any preparation, was to render himself into the hands of his armed adversaries, and cause a succession of surprises and acts of violence, which by his own courage and dexterity he would rule to a definite and preconcerted end. No trace could ever be found of preparation for such an enterprise; and its advocates have had to plead for it on such petty items of evidence as that the king's acquaintance with the structure of Gowrie House was shown when he corrected Henderson about the proper window he should open. It shows, however, how deep a root this view had taken in the county where the Ruthvens held rule, that within the present century Perth has produced three books, written to prove that the Gowrie Conspiracy was planned by King James for the ruin of the house of Gowrie.[1]

[1] 'A Dissertation on that Portion of Scottish History termed the

Before turning to light thrown on this affair some years afterwards, let us see how it was received at the time. An attempt upon its face so resolute, and yet so absolutely isolated, casting neither root nor branch into the ordinary political powers at work in its day, was very perplexing. It could not be traced to Popery or Presbyterian fanaticism—to England or to France. By English statesmen, indeed, it was treated in some measure as a calamitous accident,—King James and his assistants had taken panic at something, and acted the part of desperate men. At home, especially among the Presbyterian clergy, there was a conflict of opinions.

On the 11th of August the king crossed the Forth and landed at Leith. "It was remarked that there was ebbing and flowing three times at that tide; that the water betwixt Leith and Burntisland was blackish; that the ships in Leith harbour were troubled with the swelling of the water. A great noise of shot of cannon and hackbuts was at his landing, as if he had been new born."[1] He was met by an armed guard of the citizens of Edinburgh. David Lindsay, the minister, took him to the kirk of Leith, and improved the opportunity of thankfulness for the great deliverance, to exhort him "to perform his vow made of beforetimes of performance of justice." "At which words," we are told, "he smiled and talked with those that were

Gowry Conspiracy; in which an Attempt is made to point out, in a satisfactory manner, the Causes of the Catastrophe which took place at Perth on the 5th of August 1600.' By William Panton. Perth, 1812.

'A History of the Life and Death of John, Earl of Gowrie, with preliminary Dissertations.' By the Rev. James Scott. 1818.

'Memorabilia of the City of Perth.' 1806.

[1] Calderwood, vi. 50.

about him, after his unreverend manner of behaviour at sermons."

A more solemn thanksgiving service awaited him in Edinburgh. The market-cross being covered with tapestry, the king took his seat there; and Patrick Galloway preached to the assembled citizens from the 124th Psalm, beginning, "David the king composed this psalm after he had been freed from the great danger of his deadly enemies:" "The like cause we have in hand presently. Our king, our David, our anointed, has been in danger deadly, and is delivered—praised be God." The sermon must have been exciting, for it contained in pretty distinct terms the king's narrative of the affair, decorated with touches of eloquence, as, for instance: "Now judge ye, good people, what danger your David was in when, as an innocent lamb, he was closed up betwixt twa hungry lions thirsting for his blood, and four locks betwixt him and his friends and his servants, so that they might neither hear nor hearken him. This was his danger; but what sort of delivery gat he? It was wholly miraculous; altogether to be ascribed to God, and no part to man." Of Gowrie he said: "Let nane think that by this traitorous fact of his our religion has received any blot; for ane of our religion was he not, but a deep dissimulate hypocrite, ane profound atheist, ane incarnat devil in the coat of an angel, as is maist evident, baith by the traitorous fact whilk he had attempted, and also by sundry other things whilk we have received by his familiars and the maist dear and near of his friends; as the books whilk he used, whilk proves him plainly to be ane studier of magic, and a conjurer of devils, and to have had so many at his command. His manner of living out of the

country, in haunting with Papists—yea, the Pope himself, with whom he had not conference only, but farther has made covenant."[1]

Some other of the Presbyterian clergy were not so confiding and loyal. An edict was issued against five of them—Robert Bruce, Walter Balcanquall, James Balfour, William Watson, and John Hall. They had been charged to assemble their several flocks "in their ain kirks, and there publicly to have intimated to them the said treason, and to have given thanks to God for the said delivery of his majesty's person." They did not do so; and being plied with argument and testimony, they still maintained a silence implying a provoking suspiciousness as to the truth of the whole

[1] "Discourse of Psalm cxxiv., by Mr Patrick Galloway, one of the ministers of the king's household;" Bannatyne Miscellany, i. 141. Galloway was among the more zealous of his brethren a fallen star—one who had bartered Christ and the Kirk for Court favour. He had struggled so vehemently against Lennox and Arran, denouncing them from the pulpit, that he had to seek safety in England. See "The Apology for Mr Patrick Galloway, minister at Perth, when he fled to England, May 11, 1584;" ibid., 107. Montgomery the poet said of him:—

> "Sound, Galloway, the trumpet of the Lord,
> The blessed brethren shall obey thy blast;
> Then thunder out the threatenings of the Word
> Against the wicked that away are cast."

His insinuation of Popery against Gowrie was thoroughly groundless. In a letter written from Padua to his brother in 1595, he mentions with thorough Protestant horror and wrath the cruelties committed at the instigation of the Jesuits. The fate of their martyrs was certainly not unprovoked: "Ane certain Englishman, being moved in zeal to cast their *sacra hostia* (as they most falsely call it) out of the priest's hands that was carrying it in procession to the ground, and to stamp on it with his feet, was apprehended and denuded of his clothes, thereafter ane hood put on his head, whereon was painted the devil's image, and some with blazes, who brunt him continually on the back and breast as he walked forward; but he in the mean time was occupied in showing the people how they were shamefully abused by these nuisent idolaters who were leading them to their own damnation." "All these things were done in Rome, that mother of all vice, and hoorishe synagog of devils."—Ibid., 334.

story. They were ordered to leave the town, and not to appear within twelve miles of it.[1] Foremost among these sceptics was he who bore the illustrious name of Robert Bruce. He was one of the Bruces of Airth—the family claiming the nearest descent of any of that name to the blood-royal. King James was peculiarly haunted by that weakness which urges men to press a vindication of their conduct on the sceptical and unreasonable, and he only made the position more ludicrous and unpleasant by his desperate and hopeless efforts to break the obstinacy of Bruce and those who stood by him. After long bickering, there came a scene such as any abridgment would despoil of its picturesqueness: "The king asked at last, 'Now, are ye yet persuaded? Ye have heard me, ye have heard my minister, ye have heard my Counsel, ye have heard the Earl of Mar, touching the report of this treason; whether are ye yet fully persuaded or not?' 'Surely, sir,' says Mr Robert, 'I would have further light before I preached it to persuade the people. If I were but a private subject, not a pastor, I could rest upon your majesty's report as others do.' Then the king asked Mr James Balfour, 'Are ye fully persuaded?' He answered, 'I will speak nothing to the contrary, sir.' 'But are ye not persuaded?' says the king. 'Not yet, sir,' said he. Mr William Watson answered after the same manner. Mr Walter Balcanquall said that he would affirm all that Mr David Lindesay preached in pulpit in presence of his majesty yesterday. 'What said Mr David?' says the king. 'Mr David founded himself upon your majesty's report, and made a faithful rehearsal of your report;

[1] Pitcairn, ii. 234.

and so shall we.' 'Think ye,' says the king, 'that Mr David doubted of my report?' Mr David was sent for incontinent. They said unto him, 'Are ye not certainly persuaded of this treason?' 'Yes, sir,' says he; 'I am persuaded in conscience of it.' 'Now,' says the king, 'Mr Walter, are ye freely persuaded?' 'Indeed, sir,' says he, 'I would have farther time and light.' Then the king asked at Mr John Hall, 'Are ye fully persuaded?' He answered, 'I would have the civil trial going before, sir, that I may be persuaded.' Then the king asked at Mr Peter Hewat, 'Mr Peter, whether are ye yet persuaded or not?' 'Sir,' says he, 'I suspect not your proclamation.' 'But whether believe ye it or not?' says the king. 'The president heard,' said he, 'what I said the last Sabbath.' The president began to justify him, but the king insisted, saying, 'Let me hear himself. Whether believe ye my proclamation or not?' says the king. 'Sir,' says he, 'I believe it.' So they were all removed."[1]

To the end only of drawing forth more vexatious and troublesome stuff, the king would have a second communing with Mr Robert, and again a third. In the second, when they had got into the thick of the controversy, the king referred to his sending Sir Thomas Erskine to satisfy the obdurate minister about the facts, but the satisfaction was incomplete: "'As for Sir Thomas Erskine,' said Mr Robert, 'I trusted him in a part; but there were other things that I thought hard.' 'What was that?' said the king. 'That part which concerned the Master of Gowrie and your majesty,' said Mr Robert. 'Doubt

[1] Pitcairn's Criminal Trials, ii. 300, 301.

ye of that?' said the king. 'Then ye could not but count me a murderer.' 'It followeth not, if it please you, sir,' said Mr Robert; 'for ye might have some secret cause.' The king deduced the whole tragedy from the beginning. Mr Robert uttered his doubt where he found occasion. The king heard him gently, and with a constant countenance, which Mr Robert admired. At last the king urgeth him to preach the articles which were sent to him. Mr Robert answered, he had given his answer already to these articles; and had offered to the ambassadors that which all men thought satisfaction, yea, more than preaching. 'What is that?' said the king. 'That I will subscribe my resolution,' said Mr Robert. 'Trust you it?' said the king. 'Yes, sir,' said Mr Robert. 'If ye trust it, why may ye not preach it?' said the king. 'I shall tell you, sir,' said Mr Robert: 'I give it but a doubtsome trust; for I learn this out of Bernard—in doubtsome things to give undoubted trust is temerity, and in undoubted things to give a doubtsome trust is infirmity.' 'But this is undoubted,' said the king. 'Then bear with my infirmity,' said Mr Robert. 'But ye say it is more than preaching?' said the king. 'Sir, I ought to preach nothing but the Word of God,' said Mr Robert. 'Obedience to princes, suppose they were wicked, is the Word of God,' said the king. 'I durst lay a wager there is no express word of King James the Sixth in the Scripture.' 'Yes,' said Mr Robert; 'if there be a king there, there is word for you also.'"[1]

At the third conference he still has not light to announce from the pulpit what is wanted: "'Are you

[1] Pitcairn's Criminal Trials, ii. 305.

resolved to preach?' said the king. 'I am discharged to preach the pleasures of men,' says Mr Robert. 'Place me where God placed me, and I shall teach fruitful doctrine as God shall give me grace. But we have not that custom to be enjoined to preach, nor I dare not promise to keep that injunction. It lyeth not in my hand to make a promise. I know not certainly what God may suffer me to speak. I may stand dumb. Therefore, sir, leave me free, and when I shall find myself moved by God's Spirit, and to have the warrant of His Word, I shall not fail to do it.' 'That is plain Anibaptistry—that is cabal and tradition,' said the king. 'Ye shall preach as the rest have done, or else I cannot be satisfied—ye shall go.'"

But the king would not let him go without another effort. It succeeded only in drawing from Mr Robert the reason for his doubts, and these were not of a character to gratify the king: "The king urgeth him the more earnestly, and saith, 'I will not only have you clearing me, but my whole company.' 'As for your majesty's company,' says Mr Robert, 'they have no need of my clearing, neither will they seek it. I am bound to your majesty, and I will do all that lyeth in my possibility.' 'Then ye must subscribe my innocence,' said the king. 'Your own conscience, sir, can do that best,' said Mr Robert. 'It is very hard for me to do it.' 'Why is it hard?' said the king. Loth was Mr Robert to answer, least he should irritate him, but he insisted. Then said Mr R., 'Your majesty will not be offended if I speak freely?' 'Not,' said the king. 'I was reading,' said Mr Robert, 'upon Amandus Polanus, touching the slaughter of the magicians, when the

King of Babel commanded to slay. Amandus disputeth the question whether the King of Babel did well or not. First, he saith, *animi gratia*, it would appear that he did well, for he had the plain law of God for him in many places; yet he concludes against the king that he did not well, for, howsoever he had the law, yet he looked not to the law, nor had regard to God nor His glory: therefore, saith he, howsoever the magistrate hath the sword and may most justly execute, yet if he have nothing but his own particular before his eyes—God nor His glory—he is a murtherer. Now, sir, I pray, what can I or any man say what your majesty had before your eyes? or what particular ye had?' 'It is true,' saith the king; 'and therefore I will give you leave to pose me upon the particulars.' 'Then, first, it please you,' said Mr Robert, 'had ye a purpose to slay my lord?' 'As I shall answer to God,' saith the king, 'I knew not that my lord was slain till I saw him in his last agony, and was very sorry, yea, prayed in my heart for the same.' 'What say ye, then, concerning Mr Alexander?' said Mr Robert. 'I grant,' said the king, 'I am art and part of Mr Alexander's slaughter, for it was in my own defence.' 'Why brought ye him not to justice,' said Mr Robert, 'seeing ye would have had God before your eyes?' 'I had neither God nor the devil, man, before my eyes,' said the king, 'but my own defence.' Here the king began to fret. He took all these points 'upon his salvation and damnation,' and that he 'was ance minded to have spared Mr Alexander; but being moved for the time, the motion prevailed.' Farther, Mr Robert demanded of the king if he had a purpose that day, in the morning, to slay

Mr Alexander? The king answered, upon his salvation, that day in the morning he loved him as his brother. Mr Robert, by reason of his oaths, thought him innocent of any purpose that day, in the morning, to slay them; yet, because he confessed he had not God nor justice before his eyes, but was in a heat and mind unto wrong, he could not be innocent before God, and had great cause to repent, and to crave mercy for Christ's sake." [1]

It was another item in the mysteries or enigmas of this strange affair, that the easy, good-natured monarch was at once possessed by an indiscriminate ferocity against the young members of the house of Gowrie. There were two younger brothers of the slain men, both boys at school, and seven sisters. Of these the eldest, Margaret, was mother of the renowned Marquess of Montrose. Nicolson, the English ambassador in Scotland, writing to Cecil, says: "The king at his return to Falkland presently caused thrust out of the house from the queen, Gowrie's two sisters —in chief credit with the queen—and swears to root out that whole house and name." The two boys with difficulty escaped to Berwick.[2] The commander there was Sir John Carey, one of Queen Elizabeth's cousins, of the Hunsdon family. As the name is somewhat connected with a body of greedy adventurers, it is pleasant to find traces of courage and humanity in one of the tribe. He writes to inform Cecil that "the king has made great search and lays great wait for the two younger brothers, who by great fortune escaped from the schools; and not daring to tarry in Scotland, they have this day come into Berwick closely in dis-

[1] Pitcairn's Criminal Trials, ii. 305. [2] Ibid., 314.

guised apparel. And being brought to me, they only desire that their lives may be safe, and they may have a little oversight here till the truth of their cause may be known; and the pitiful case of the old distressed good countess hath made me the willinglier give my consent for their stay here a while till I may by your honourable means know the queen's majesty's pleasure."[1]

Carey writes again that he had not seen the poor boys, "so close have they kept themselves as they have never yet stirred out of their chamber which they first entered into, to look abroad." Carey desired that for their greater safety they should seek a retreat farther from the Border. They were detained, however, in their hiding-place at Berwick, by want of clothing and money for a journey. The result was well, for Carey thought if they had moved they would have been trapped. He gives a formidable picture of the power at the command of him who was expected soon to be King of Britain, even on that side of the Border which was not yet his. The mother of the boys could find no messenger to convey assistance to them: "Such secret search and privy spial is there through the whole country for her and her sons, as no friend either dare or can travel between them; such privy search is laid for them in all places, as almost no man can travel in their country but he is searched. And if I had sent them sooner away, I should but have sent them to very great danger, either of being killed or taken; for that they being very poor themselves, and having no friends nor any acquaintance, could neither have told whether to have gone nor what to do."[2]

It was not until eight years afterwards, when King

[1] Secret Correspondence of Cecil, 161. [2] Ibid., 165.

James had been five years quietly seated on the throne of England, that this affair could properly receive the name of conspiracy, by evidence that the plan of it was prearranged, and that others had taken part in it besides the two slain brothers. The incidents which brought to light one side of a correspondence between the brothers and Robert Logan, the Laird of Restalrig, near Edinburgh, will have afterwards to be told; in the mean time we have merely to deal with these revelations. As these come forth, it may be well to keep in mind that the two Ruthvens were young men—the earl twenty-four and the Master nineteen—and that they had vast power. Seizing upon or kidnapping a king had in that day become almost a constitutional method of effecting a change of ministry in Scotland. The father of the young men had effective possession of King James, and the madcap Bothwell had very nearly accomplished the same good fortune. Then they had the death of their father to avenge in an age when vengeance was usurped by men, and became a duty: it was said that gratitude for their restoration should have cancelled the injury to be avenged; but, as we have seen, their gratitude was not earned by the king.[1]

The letters are all on one side—viz., Logan's—and include some addressed to persons unknown as well as to the Ruthvens. He reminds his correspondent

[1] There are traces of those who were instruments in his father's fate breading vengeance on Gowrie's return. James Hudson writes to Cecil about a Colonel Stewart, "valiant and of good experience," who has gone to Ireland and desires employment: "His service was mostly in the Low Countries. The true grounds of his intended travel is, that he doubts that this Earl of Gowrie will think of his father's death, because he took him in the tyrant James Stewart's time, who called himself Earl of Arran."—Rolls House, MSS. (Scotland), lxvi. 43.

more than once to deal with his letters after this manner: "Deliver it to the bearer again, that I may see it burnt with my own ein, as I have sent your lordship's letter to your lordship again; for so is the fashion, I grant." There are abundance of other indications that their intercourse is of a kind extremely perilous. "I doubt not," he says, "but ye know the peril to be baith life, land, and honour, in case the matter be not wisely used; and for my own part, I shall have ane special respect to my promise that I have made to his lordship, and Mr Alexander, his lordship's brother, although the skaffold were set up." It seems that the Ruthvens thought Logan's brother-in-law, Lord Home, would be a serviceable coadjutor; but Logan thought otherwise, saying of him, "In good faith, he will never help his friend nor harm his foe." "For God sake, let neither any knowledge come to my lord my brother's ears, nor yet to Mr William Rynd, my lord's old pedagogue; for my brother is kittle to shoe behind, and dare not enterprise for fear, and the other will dissuade us from our purpose with reasons of religion, whilk I can never abide." In contrast to this brother he repeatedly mentions a coadjutor of humbler rank called Laird Bower, an old man who carried their letters: "Your lordship may confide mair in this auld man, the bearer hereof, nor on my brother; for I lippen my life and all I have else in his hands, and I trow he would not spare to ride to hell's gate to pleasure me." Of Laird Bower's capacity Logan repeatedly speaks slightingly, while expressing entire trust in his fidelity. When the critical time approaches he says: "Always I repose on your advertise-

ment of the precise day with credit to the bearer; for howbeit he be but ane silly auld gleyed carle, I will answer for him that he shall be very true." And another time he gives assurance of him as one "to whom you may concredit all your heart," for he is "wonder honest;" "for an it were my own soul, I durst make him messenger thereof, I have such experience of his truth in many other things." It may be observed in passing, that on the ample papers in which the history of the conspiracy is to be found there is no other notice of this miracle of a subordinate conspirator besides these testimonials of his master to his merits, nor is there any trace that inquiry was made about him. Before coming closer to the shape in which Logan and the Ruthvens were to co-operate, we may dispose of a separate item—the reward to be reaped by Logan. It was the barony of Dirleton, in East Lothian, inherited by the Ruthven family as heirs of the Haliburtons. Logan made no secret of his delight in the prospect of this possession. "I care naught," he says, "for all the land I have in this kingdom, in case I get a grip of Dirleton; for I esteem it the pleasantest dwelling in Scotland." And those who have seen the remains of its old Edwardian castle overlooking the Firth of Forth will not condemn his preference.

Let us now see how these letters point to the project in view. We have seen that in the excited talk with the king in the turret the Master spoke of revenging his father's death. Logan speaks distinctly more than once of this object. In one passage, calling him by a name which had been applied to more than one popular leader in Scotland, he says: "I think there is nane of a noble heart, and carries a stomach worth

a penny, but they wald be glad to see ane contented revenge of Grey Steil's deid" or death. In a letter to the earl he speaks of the great danger incurred by all as a thing to be worthily paid for vengeance: "I beseek your lordship, baith for the safety of your honour, credit, and more nor that, your life, my life, and the lives of many others wha may perhaps innocently smart for that turn afterwards, in case it be revealed by any, and likewise the utter wrecking of our lands and houses, and extirpating of our names,—look that we be all as sure as your lordship, and I myself shall be for my own part; and then I doubt not but by God's grace we shall bring our matter till ane fine, whilk shall bring contentment to us all that ever wished for the revenge of the Machiavelliant massacring of our dearest friends." At one point, where he gets into a hilarious mood, Logan notes with curious distinctness the man who was to be the victim, the opportunity, and the time. The 5th of August is the date of the events in Gowrie House; the letter dates on the 29th of July which carries this passage: "In case God grant ane happy success in this errand, I hope baith to have your lordship and his lordship, with many others of your lovers and his, at a good dinner before I die. Always I hope that the king's buck-hunting at Falkland this year shall prepare some dainty cheer for us against that dinner the next year. *Hoc jocose* to animate your lordship at this time, but afterwards ye shall have better occasion to make merry. I protest, my lord, before God, I wish nothing with a better heart nor to achieve that whilk your lordship would fain attain unto, and my continual prayer shall tend to that effect; and with the

large spending of my lands, goods—yea, the hazard of my life shall naught affray me fra that, although the scaffold were already set up, before I should falsify my promise to your lordship."

Let us now try what help these letters give towards a knowledge of the plans of the conspirators. There is repeated reference to Logan's stronghold of Fast Castle, on a rock near the southern entrance of the Firth of Forth. The first reference to this place is in a letter sent from the castle itself, and dated the 18th of July, of which the closing words are: "Use all expedition, for the time will not be long delayed.[1] Ye know the king's hunting will be shortly, and then shall be best time, as Mr Alexander Ruthven has assured me that my lord has resolved to enterprise that matter. Looking for your answer, commits you to Christ's holy protection. — From Fast Castle the aughteenth day of July 1600."

What was to be done at Fast Castle is told in terms which invite close criticism: "Always to the purpose I think best for our plot that we meet all at my house of Fast Castle, for I have concluded with Mr Alexander Ruthven how I think it shall be metest to be conveyed quietest in ane boat by sea." This was written to the unknown partner in the project. Two days later, on the 29th of July, we find him writing to the earl: "I doubt not but Mr Alexander, your brother, has informed your lordship what course I laid down to bring all your lordship's associates to my house of Fast Castle by sea, where I should have all materials in readiness for their safe receiving a land and into my house; making, as it were, but a manner of passing time in ane

[1] "Will not" is here used in the Scottish sense of "must not."

boat on the sea in this fair summer-tide; and none other strangers to haunt my house quhile we had concluded on the laying of our plot, which is already devised by Mr Alexander and me. And I would wish that your lordship would either come or send Mr Alexander to me, and thereafter I would meet your lordship in Leith, or quietly at Restalrig, where we should have prepared ane fine hatted kit with sugar comfits and wine, and thereafter confer on matters—and the sooner we brought our purpose to pass it were the better before harvest. Let not Mr W. R., your auld pedagogue, ken of your coming; but rather would I, if I durst be so bold, to entreat your lordship once to come and see my own house, where I have keeped my Lord Bothwell in his greatest extremity—say the king and his Counsel what they would." The next allusion to Fast Castle is in a letter of the last day of July to the unknown. After one of the many commendations on the honesty of Laird Bower, there comes: "He has reported to me his lordship's own answer. I think all matters shall be concluded at my house at Fast Castle; for I and Mr Alexander Ruthven concluded that ye would come with him and his lordship, and only ane other man with you, being but only four in company, intil ane of the great fishing-boats by sea to my house, where ye shall land as safely as on Leith shore—and the house against his lordship's coming to be quiet; and when ye are about half a mile from shore, as it were passing by the house, to gar set forth ane waff"—that is to say, a signal.[1]

[1] See the letters printed by Mr Pitcairn, who discovered the originals among the warrants of Parliament in the General Register House; Criminal Trials, ii. 281 *et seq.*

From the earlier of these passages it might be supposed that the conspiracy they refer to was to be hatched at Fast Castle, and that the selection of so remote and inaccessible a place was owing to the large assemblage who were to meet. The passage last cited, however, shows that there were only to be six persons there—Logan himself and Laird Bower, with the four who were to come in the boat: the house was to be "quiet," without other guests. These persons—the three active ones among them, at all events—might have met anywhere and concocted what they pleased without exciting notice; indeed Logan suggested a meeting at his suburban house at Restalrig, where they were to partake of "hatted kit"—a mixture somewhat like sillabub—and make an excursion along the east coast, that Gowrie might see how well Fast Castle would suit their great purpose. One of the four was the unknown correspondent. He is called "right honourable sir." He was at large in Scotland, and in all respects evidently the kind of person that Gowrie or any other might meet at any time without suspicion of treason. The person, therefore, whose presence rendered the choice of a spot remote and inaccessible was clearly the "other man," who was to have been the fourth in the boat.

Any one who has read these passages will be in some measure able to give his own answer to this last and critical question, Was this "other man" to be King James?

If it was, the project was a more skilful one than first appearances suggest. If the great folly of kidnapping the king was to be attempted, the plan was well laid. An attempt to seduce him into any lonely

castle on the sea-shore would have had little chance of success. Gowrie House was close to, almost within, a considerable town; and that it had a river close by might pass unnoticed, though that river was the very thing that made the place dangerous. The largeness of the attendance on the king seems to have disconcerted the project. But if the two brothers could have sent them scattering over the Inch, and taken the king, tied and gagged, to a boat, they could have floated down in a few minutes into broad waters, and had the way clear before them for Fast Castle. It is significant that James avoided the dangers of the Perth mob by taking boat — perhaps the same boat that was intended for removing him in another fashion.

That grim stronghold, so well known from Scott's 'Bride of Lammermoor,' was signally well adapted for such an enterprise. Though it overlooks the trade of the German Ocean, it belongs to a coast terrible to the mariner, who keeps a wide offing from it. On the land side the entrance to it is difficult, and some have thought it dangerous even when they have not had to expect an enemy within. There was then, and indeed there still is, a broad tract of desolate land separating it from the nearest habitations.

If we suppose it clear, or likely at least, that King James was to be taken to that lonely strength, it is, as already said, an absolute mystery how he was to be treated when he was there.

It is possible that Italian story or history might support or contradict this supposition. The Master had, it seems, a story about a nobleman of Padua so exactly the same in its events as the part the conspirators were going to play, that Logan spoke of it

with somewhat of a shudder. "In case," he says, writing to the unknown, "you and Mr Alexander Ruthven forgather, because he is somewhat concetty, for God's sake be very wary with his reckless toys of Padua; for he told me ane of the strangest tales of ane nobleman of Padua that ever I heard in my life, resembling the like purpose." This story of Padua took so strong a hold on Logan's fancy that he frequently referred to it as strangely foreshadowing their own project." [1]

[1] I owe the following curious morsel of intelligence about Gowrie's sojourn in Padua to the Reverend Joseph Stevenson, whose contributions to our history have been so amply drawn upon in these volumes:—

"May it please your most excellent majesty, I have taken the boldness by this my nephew (a poor scholar and member of that college in Cambridge whereof your majesty is especial patron) to transport unto your royal hand a strange relique out of this country, which I have here received from Sir Robert Douglas.

"This right honest gentleman, some few days after his arrival in these parts, falling at Padua into the company of one of his countrymen who had spent some time in that town, and out of former speech (which he had heard at home) inquiring after a certain emblem or impresa which the Earl of Gowrie had left in some place of his signorie, was unexpectedly directed by the same man unto it in the public school of a dancer, where it hung among diverse other devices and remembrances of such as had been his scholars, through time somewhat obscured and blemished with dust. Of which, when he had taken a sight and procured a copy, under show of bearing much affection to the memory of the gentleman, he came immediately to acquaint me with the quality of the thing; and we agreed together that it should be fit, if possible, to obtain the very original itself, and to leave in the room thereof the copy that he had already taken, which he did effect by well handling the matter.

"Thus hath your majesty now a view *in umbra* of those detestable thoughts which afterwards appeared *in facto*, according to the said earl's own *mot*. For what other sense or allusion can the reaching at a crown with a sword in a stretched posture, and the impersonating of his device in a black-a-more, yield to any intelligent and honest beholder?

"I will conclude (as I am justly moved by the occasion) with humble and hearty thanks to God both for this and many other His vigilant

One thing more has just to be mentioned before leaving the Gowrie Conspiracy, and it, too, is merely suggestive. We have seen that the renowned casket letters were in the possession of the earl's father, and we hear no more of them. It is likely that they were in Gowrie House at the time of the conspiracy. It is tantalising to find two such mysterious affairs coming close together, yet never meeting so as to give any assistance to each other.

A gloomy ceremony had to be performed ere the tragedy was finished. According to the old Scots fashion, the Parliamentary trial on which a forfeiture was to pass must be held with the presence of those chargeable with the guilt, whether they be alive or dead. From the hot month of August until the Estates met in November, the bodies were kept that they might be brought into the Parliament House in the Tolbooth. There the Estates decreed their name, memory, and dignity to be extinguished; their armorial bearings cancelled; their property to be confiscated; and their bodies to be drawn, hanged, and quartered. Farther, their posterity and surviving brethren were declared incapable of succeeding to property or holding offices or honours in Scotland.[1] The Estates at

and loving preservations of your dear and sacred person, to whose happy sight again hoping by your gracious pleasure to be shortly restored, I most humbly rest your majesty's faithful pure vassal,

"OTTAVIO BALDI.

"From Venice this 22d June 1609."

Orig. with seal. Add., "To his most excellent majesty." End., "Sir Henry Wotton to his majesty."—Public Record Office, State Paper Department (Venice), No. 14, A.D. 1608-10. What is instructive here is not so much the portentous character of the picture as the fuss made about it. It may possibly still exist in some collection.

[1] Act. Parl., iv. 199.

the same time enacted that the 5th of August should ever be observed as a day of thanksgiving for the king's escape.

The period of not quite two years between the Gowrie Conspiracy and the union of the crowns was a time of unwonted peace in Scotland. It was marked, indeed, by the formal reconciliation to each other of men who had inherited family feuds. Remarkable among these were the two great houses whose disputes had shaken Scotland—Argyle and Huntly. Like two crowned heads, they negotiated and adjusted a peace.

The chief event at Court was the birth of a third child, destined to be the most unfortunate of the unfortunate three. The Prince Charles was born at Dunfermline on the 19th of November 1600. Among such matters as slightly disturbed the serenity of the political atmosphere, the most unpleasant were a few sinister rumours that King James was secretly dealing with the Papal powers. Thus Lord Henry Howard, who told his correspondent at the Scottish Court, Lord Edward Bruce, all rumours, propitious and unpropitious, says: "From Rome hath been twice advertised that strange assurances have been sent from Scotland of great mysteries and miracles to be wrought in case the prince [Henry] could once be put in the hands of a Catholic, whereof they were in hope by the favour and endeavour of a powerful instrument which would strongly labour it." And again: "Out of the archduke's camp one of her majesty's greatest commanders hath been advertised that a fire will break out in Scotland before it be long, which makes Cecil to fear, knowing in what state King James stands with England at this day, that other trains, made underground by secret pioneers

within that State itself, may break out when it is least looked for."[1]

The sinister rumours were strengthened by what is called in treason-law "an overt act." On the side of England, King James was charged with the writing of a letter to the Pope himself. He denied the charge; but his opponent in controversy, Cardinal Bellarmine, published the letter. It commended Drummond, a Scotsman, who was Bishop of Vaison, in France, to the good services of the Pope, and suggested that he should be raised to the rank of cardinal. The letter had been written in the year 1598, but was for some time the mere source of a rumour which was denied, and it was after King James was firm on the English throne that its existence was substantiated. Balmerinoch, who was Secretary of State at the time, was put on trial for treason, in having obtained the king's signature to the letter by fraud. He made a full confession of his guilt, stating that he had slipped it into a heap of papers which had been adjusted for the king's signature. This was possible; but it was also thought improbable if another part of the confession were true, which imported that Balmerinoch had often solicited the king to write such a letter, and that the request had ever been met by a peremptory refusal.

As Queen Elizabeth's sojourn in this world was visibly drawing to a close, there was naturally much conference and correspondence about King James's claim to the succession. As on the one hand the projects about the Infanta of Spain strengthened the claims of King James in the hearts of the English, so

[1] Secret Correspondence of Sir Robert Cecil with James VI. of Scotland, 157, 160.

on the other side his chief danger lay in the projects of Essex. That he did correspond with Essex from 1596 downwards is certain, but whether he went farther than was necessary to secure the favour of a powerful man is not clear. Essex's last escapade, in fact, was a protection to the king. The whole went so far out of rational bounds, that it could not be associated with a serious policy held by sane men. When Essex was committed to the Tower, James was clamorously requested to help him. He said he "would think of it, and put himself in readiness to take any good occasion." Montjoy, who was in a condition of as rash excitement as Essex himself, sent King James a "project," on which he probably, as Orientals say, "opened the eyes of astonishment." It was, "That James should prepare an army, should march at the head of it to the Borders, should thence fulminate a demand to the English Government of an open declaration of his right to the succession, should support the demand by sending an ambassador into England," to be, it is supposed, followed by the army if his demands were refused.[1] It was a significant fact when the younger Cecil, who had succeeded his father in power, held confidential conferences early in the year 1601 with the two ambassadors from Scotland, the Earl of Mar and Edward Bruce. He soon afterwards began a secret correspondence with King James, conducted not in his own hand but through Lord Henry Howard. On the 4th June 1602 he gives cheerful

[1] Bruce's Correspondence. Mr Bruce says that James corresponded with Essex "for a considerable time—certainly from the year 1598." In 'Letters and State Papers during the Reign of James the Sixth,' printed for the Abbotsford Club, the correspondence goes back to 4th February 1596, p. 8.

intelligence of unanimity to Lord Mar: "It is true, as Northumberland, one of the concert, affirms, that all other colours of competition are extinct; that there is great danger of being taken sleepers at tray-trip if the king sweep suddenly; that the world doth universally bend their biasses to the Scottish side; that the glass of time being very far run, the day of the queen's death may be the day of their doom. . . . I protest unto your lordship, that at this day all men speak as freely of the next succeeding time and heir with us as if they were instantly to receive an oath in Edinburgh; and therefore no marvel though men that can draw no partners in to consent to take a true man's purse on Shooter's Hill, insert themselves into the company of honest men."[1]

Perhaps if Queen Elizabeth had interpreted her faithful servants' ciphers, she might have become angry and dangerous; but the tone of the correspondence was carefully kept down. That there were many people in favour of King James's claim was scarcely a treasonable thing to say, and yet it gave him confidence and hope. What Queen Elizabeth would do was no farther indicated than by the acute statesman's assurance, from what he knew and saw, that she would not attempt to displace him by another selection. We can trace the soothing influence of this method of writing in a scene noted by George Nicolson, one of the emissaries to Scotland. In 1602, in his presence, the Laird of Kinnaird thought he should have pleased the king by "drinking to the joining of these two kingdoms in one—and that soon—and saying he had forty muskets ready for the king's service to that

[1] Secret Correspondence, 127.

use; which the king said was a fault in him to wish soon or by force, and protested he wished no haste, but God's time in it, and her majesty's days to be long and happy, without any abridgment of them, or hour of them, for any cause or kingdom to him." [1]

Though, however, it involved skilful statecraft, and was extremely momentous to the little group concerned in it, this correspondence does not make lively reading for the present day. Its cautious tone and skilful modifications may be curious as a short study, but hold out little temptation to a full perusal of the whole.[2] Then we cannot attribute to the mere correspondence any serious influence upon the union of the crowns. It was only the indication that the event was coming about as the effect of political forces stronger than any that even Cecil could wield.

[1] Bruce, Introduction to Correspondence of King James VI. of Scotland with Sir Robert Cecil, &c., 47.

[2] Perhaps the following specimen has as much life in it as the correspondence at large can boast of: "I beseech your majesty, give me the honour thus far to believe me, that should not be a stranger to all things of such nature which can occur in this State, that, first, the subject itself is so perilous to touch among us, as it setteth a mark on his head for ever which hatches such a bird; next, on the faith I owe to God, that there is never a prince or state in Europe with whom either mediate or immediate her majesty hath entered into speech for twelve years on that subject. No, as it is true that, such is our misfortune, as it is in her majesty's mind a capital thing to settle, so is it not in her heart so much as to bethink her how to divert it; and therefore, if you will distinguish between the pamphlets and projects of priests and fugitives, who are always labouring to set up one golden calf or other, as their fortune or fancy leadeth them, and the negotiations between princes or their ministers retaining such a belief in some well-chosen professions, as neither to be jealous of silence because you hear other idle echoes, nor mistrustful of care and industry because everything we do is not hourly made demonstrative to you, then may I, and all as I, say to themselves securely, that they have found in you a heart of adamant in a world of feathers."—Bruce, 13.

For a considerable time James Stewart's right was by no means a doctrine universally admitted. In the opinion of some it met an insurmountable obstacle —an obstacle that had already barred his succession to the English estates of his grandfather, Lennox. He was an alien. As an alien, he could not have succeeded to a rood of land in England—was he to take the whole? No doubt, as the descendant of a daughter of Henry VII. by the elder son of her daughter, he was nearest in blood. It was no longer as in the days of the wars of the Roses, when there was dubiety about the true course of the genealogical sequence. But if he were passed over as an alien, the diversion would not be great—the succession would open to Arabella Stewart, a daughter of the younger son. To meet this lawyers' pedantry, there was the mighty problem of uniting the two great divisions of the island peaceably under one head—a consummation promising salvation from endless wars, with all their countless miseries. The clearness of the genealogical claim, and the blessings to be accomplished by its realisation, together took gradual hold of the practical English mind. The doctrine of the common lawyers was buried in the general approval of the nation. Right or wrong, according to technical logic, King James was to be the accepted King of England.

So far as the possession of an illustrious royal race was deemed a national honour, England was to become a gainer. The Tudors were lost in questionable Welsh mists. The Plantagenets themselves came of a Norman bastard; and even the Saxon royal race did not retreat into very distant ages. But, according to the established belief of the age, the King of Scots was

descended of a race of monarchs who reigned hundreds of years before the dawn of Christianity. Rumour made him at that time a worthy descendant of this illustrious race. He had shown early wisdom—he was a wonder of learning; and his follies, and defects worse than follies, had yet to be learned by the people of England. His 'Basilikon Doron' completed the circle of his popularity by conveying words of comfort and hope to the Roman Catholics. Then the proud aristocracy of England would have a family becomingly presiding over them—a royal family which was all royal. The queen had not only shown her mother's blood in raising obscurely-born men like Cecil to the highest power, but the throne was encircled by members of the Boleyn family who flaunted it over the ancient houses of the realm. All these were influences so powerful in determining the succession, as to render it a matter of no moment whether Cecil was correct or not when he said that the dying woman had made a sign of her acceptance of the King of Scots before the close.

It was one of these plebeian members of the royal family, Robert Carey, son of Lord Hunsdon, who galloped into Holyrood Court late on a Saturday night, and wakened King James to tell him that he was monarch of England, Scotland, France, and Ireland. According to the generally received account, he had made his arrangements, and was skulking about under the windows of Richmond Palace, when his sister, who was of the bedchamber, dropped out of the window, as a concerted token, a ring taken from the dead queen's finger just as the last breath had passed. The death was at three o'clock on Thursday

morning, and Carey was in Edinburgh on Saturday night. It was a feat of despatch unmatched in that age. The king and his courtiers behaved with decorum. Nothing was made known beyond Holyrood House until two days later, when Sir Charles Percy and Thomas Somerset arrived with an official communication from the Privy Council of England. On the 5th of April 1603, King James, with a large train of attendants, English and Scottish, left Edinburgh; and on the 6th of May he entered London.

CHAPTER LXII.

Union of the Crowns.

KING JAMES'S DEPARTURE—RECEPTION AT BERWICK—THE ROYAL PROGRESS — FEASTINGS — PAGEANTS — HUNTING — THE KING'S DELIGHT WITH HIS NEW DOMINIONS—PERSONAL SKETCHES OF THE NEW COURT—THE KING HIMSELF—HIS MOTLEY CHARACTER—CONTRAST TO HIS MOTHER—QUEEN ANNE, HER WIT, HER INFLUENCE—PRINCE HENRY—PRINCE CHARLES—GLIMPSES OF THE INTERIOR OF THE PALACE—CORRESPONDENCE OF ROYAL CHILDREN.

THE spot where the king first set his foot within his new dominions was crowded with reminiscences of that long stubborn struggle which it was his blessed fortune to close. As we have already seen, the town and liberties of Berwick-on-Tweed had been taken from Scotland at a time when all parts of England were so closely fitted together by the constitutional organisation of the country that there was no place for the new dominion; and down to a time within the memory of people not old, an Act of Parliament applicable to the United Kingdom did not include Berwick-on-Tweed unless it were covered by a special clause. England had paid her northern foes the homage of building a vast fortress there. Scotland had no modern fortress on the system of flanking embankments—only

the old, lofty, stone towers, to which a temporary earthen outwork might be attached in time of need, as we have seen at the siege of Edinburgh Castle. The citadel of Berwick might have ranked among the greatest and strongest in the world of the fortresses raised under the new system. Even to this day its banks and ditches have more likeness to the remains of some Continental fortress of the end of last century, than to anything belonging to the age of the Tudors. With Carlisle Castle at the other side of the island, and Norham, Werk, and other Border strengths of the older kind uniting them in a string, England had placed a barrier along her border well fitted — the difference of period and circumstances considered — to rival the great line of fortified wall which protected the boundary of the old Roman empire.

There was preparation in Berwick to announce to him in emphatic shape the powerful character of the fortress now his own. An enthusiastic recorder of his progress southward says :—

"When his highness came within some half-mile of the town, and began to take view thereof, it suddenly seemed like an enchanted castle; for from the mouth of dreadful engines—not long before full-fed by moderate artsmen that knew how to stop and empty the brass and iron paunches of those roaring noises—came such a tempest, as deathful and sometimes more dreadful than thunder, that all the ground thereabout trembled as in an earthquake, the houses and towers staggering, wrapping the whole town in a mantle of smoke, wherein the same was for a while hid from the sight of its royal owner. But nothing violent can be permanent. It was too hot to last; and yet I have heard

it credibly reported that a better peal of ordnance was never in any soldier's memory (and there are some old King Harry's lads in Berwick, I can tell you) discharged in that place. Neither was it very strange, for no man can remember Berwick honoured with the approach of so powerful a master."[1]

After this salutation, he was handed over to the sumptuous hospitalities of the great landed potentates whose estates lay conveniently at hand on his journey to London. In Scotland the grim, tall, stone buildings which were the fortresses of the country were also the dwellings of the country gentlemen. Their walls were thick, their windows small and parsimonious of light. Everything about them betokened danger and defence, leaving little room or thought for the ornamental and the enjoyable. Even those mansions which aimed at the French luxuriance of decorations, had their ornaments high up in the air, with narrow thick stone-work below, very defencible against anything but artillery. In England all was in contrast to this. The wide, hospitable, Tudor architecture, with its oriels throwing a flood of light into richly-decorated apartments, prevailed, testifying to a country where the law had put down private warfare, and rendered each man safe in his own house. The incomes of the owners of these fine mansions were almost a greater contrast still, when compared with the means of the gentry of Scotland. Their hearts were opened widely to their new monarch; and they excelled all hospitalities known even in England to honour his passage. It gladdened the monarch's heart into great enjoyment; and we need not wonder at this when he

[1] Nichols's Progresses, i. 63.

remembered that among the latest hospitalities he had received in a Scottish mansion were those bestowed on him in Gowrie House.

The hospitalities of a royal progress had become a national institution in England. It was much encouraged and developed by Queen Elizabeth. Perhaps her loneliness of heart sent her to find relief in the excitement of such scenes. Perhaps here, too, as in the discipline of her Court, a spirit of chivalry or gallantry procured for her more willing hospitality than a male monarch would have been welcomed with. The feudal prerogative of purveyance and pre-emption for the monarch's service had, like other prerogatives, been widened. It arose in days of warfare for the service of the monarch's armed force, and thus, in theory at least, for the defence of the realm; and it was continued for the court of personal attendants and guests which followed the monarch in more peaceful days. The sentiment seems to have spread among the richer landowners, that it was pleasanter to come forward and give than to wait for the coming exaction. If the hand had to be more liberal, it was the hand of the great man who was able to offer hospitality to his sovereign, not of the serf who gave grudgingly what feudal power demanded. When a country gentleman had been so fortunate as to accumulate convertible wealth in addition to his estate, to spend it in a notable royal reception was one of the accepted and natural uses to which it might be put. As in all other arenas for the display of wealth, one entertainer vied with another in the splendours of his entertainment; and it was afterwards noticed as a curious incident, that in James's progress towards London the

lead in this sort of competition was taken by Sir Oliver Cromwell, the uncle of the great Protector.

The outlay on such occasions was in a manner an investment. The house where a great reception had been given on a royal progress became famous, and the feasting and pageantry of the occasion were discussed by generation after generation as a purchase of fame or notoriety. Many of these investments may be said to have been sound, since their history has passed from tradition into a somewhat expansive literature. The collector of the progresses of Queen Elizabeth, having filled with them three stout quarto volumes, bestowed other four on the progresses of King James. Of these, the first is almost entirely devoted to the journey from Edinburgh to London. These volumes, in their size, their monotony, and their costly illustrations, seem somewhat akin to the receptions themselves, with their enormous gormandising and their heavy wearisome pageantry. There is a limit to all appetites; and one can suppose that when satiety was reached, there must have been a feeling of discomfort in the presence of the accumulated masses of multifarious cookery, as there is a tiresomeness in reading the history of the successive culinary efforts and triumphs. It is easy to be seen from such descriptions, as well as from old cookery-books, that the preparation of the food of the rich on State occasions was then of a much more complicated character than any preparations of viands at the present day. Besides a great variety of materials used in meats, there were efforts to make them act a picturesque part in the pageants. In this sort of art the highest triumph in the union of the real and the ideal was achieved by an entertainer who was enabled

to place on his table two complete boars, cooked and piping hot, whose attitude was that of draught animals drawing a gigantic pudding constructed in the shape of a waggon. It is even some relief to the tedious narratives of heavy feeding and pedantic pageantry, when the king's Danish friends, with whom he had been "drinking and driving our," came to him to resume the same pursuit, and so vary the routine by a touch of fierce wassail.

The accounts of the pageantry and mimicry at these receptions make dreary reading; and any of them would, to a theatrical audience of the present day, make doubtless as dreary an exhibition. The pantomime—the legitimate descendant of the pageants—is a result of machinery,—its progress has followed that of the mechanical arts; and as the British are the best mechanists in the world, so they can produce the finest specimens of this kind of work. When the organisation is complete, all in front is bright fairy-land. The laws of gravitation, and all the impediments that make the human creature of the earth earthy, are suspended, and he is for a time easy master of all the elements. His choice may be a revel of mermaids and tritons in the caverns of the deep, or a flight of aerial beings skimming the waters or ascending into the skies. But the adult spectator knows that in the dingy and dirty recesses behind there is an organisation of ugly machinery—windlasses, ropes, pulleys, and levers—with which mechanics of the most unideal kind are hard at work, raising or sinking heavy weights of flooring and scenery; while complicated arrangements are worked by anxious attendants, to prevent the fairy beings who have disappeared into thin air on the bright side,

from being dashed to pieces on the dark. In the country-houses of the period of Elizabeth and James, such severance between the spectacle and the mechanism was impossible—the ropes, the pulleys, the preparation of the actors, and many other things fitted to dispel the illusion, were all too manifest to the audience. Perhaps a greater amount of real pageantry is crowded into a pantomime evening at Drury Lane, than a whole reign could produce in the age of private pageants; yet we consign our perfected system to the denizens of the nursery.

Scott's account of the revelries at Kenilworth may be taken by the general reader as a good type of that kind of entertainment. Though it is as precise as the dull memorials of the Court chroniclers, it is read with interest, because all its elaborate escapades are worked into a story of deeply pathetic and tragic incidents. We can see that what decorum these things had in the reign of Elizabeth deserted them in her successor's. The caustic Harington says: "I have much marvelled at these strange pageantries, and they do bring to my remembrance what passed of this sort in our queen's days, of which I was some time an humble presenter and assistant; but I did never see such lack of good order, discretion, and sobriety as I have now done." This is said in commenting on the pageants and feasts at the reception of the royal Danes; and although Sir John is avowedly sarcastic and epigrammatic in his way of describing them, the doings must have been sufficiently scandalous that afforded fair game for his wit: "One day a great feast was held, and, after dinner, the representation of Solomon his temple and the coming of the Queen of Sheba was made."

"The lady who did play the queen's part did carry most precious gifts to both their majesties; but forgeting the steps arising to the canopy, overset her caskets into his Danish majesty's lap, and fell at his feet, though I rather think it was in his face. Much was the hurry and confusion; cloths and napkins were at hand to make all clean. His majesty then got up and would dance with the Queen of Sheba; but he fell down and humbled himself before her, and was carried to an inner chamber and laid on a bed of state."

The pageant shifts, and "now did appear, in rich dress, Hope, Faith, and Charity. Hope did essay to speak, but wine rendered her endeavours so feeble that she withdrew, and hoped the king would excuse her brevity. Faith was then alone, for I am certain she was not joined with good works, and left the Court in a staggering condition. Charity came to the king's feet, and seemed to cover the multitude of sins her sisters had committed: in some sort she made obeisance and brought gifts, but said she would return home again, as there was no gift which heaven had not already given to his majesty. She then returned to Hope and Faith, who were both sick." After much that is less picturesque and more offensive, the conclusion comes in antithesis like the rest: "Now did Peace make entry, and strive to get foremost to the king; but I grieve to tell how great wrath she did discover unto those of her attendants; and, much contrary to her semblance, most rudely made war with her olive-branch, and laid on the pates of those who did oppose her coming."[1]

It is true that mummery, pageantry, and excess

[1] Nugæ Antiquæ, i. 349-51.

were features of the Court-life of the age; but the share contributed to these peculiarities by the Court of James must have been excessive, to be singled out, as it was, for notice. Even when profligate excess is absent from these royal frolics, we find not decorum in its place. For instance, Weldon tells how, "after the king supped, he would come forth to see pastimes and fooleries in which Sir Edward Zouch, Sir George Goring, and Sir John Flint were the chief and master fools—and surely the fooling got them more than any others wisdom,—sometimes presenting David Droman, and Archie Armstrong, the king's fool, on the back of other fools, to tilt one another till they fell together by the ears. Sometimes they performed antick dances. But Sir John Millicent, who was never known before, was commended for notable fooling, and was indeed the best extempore fool of them all." [1]

The following short account, written by poor Arabella Stewart before her evil days came upon her, contains the names of some devices which may be familiar to the learned in sports and pastimes. It is dated from the Court at Fulston, 8th December 1603: "Whilst I was at Winchester, there were certain child's plays remembered by the fair ladies—viz., 'I pray, my lord, give me a course in your park;' 'Rise, pig, and go;' 'One penny follow me,' &c. When I came to Court, they were as highly in request as ever cracking of nuts was. So I was by the mistress of the revels not only compelled to play at I know not what—for till that day I never heard of a play called 'Fier'—but even persuaded by the princely example to play the child again." We generally give our ancestors credit for

[1] Secret History; Letters (Maitland Club), 23.

early hours—the earlier the farther back we look; yet "this exercise is mostly used from ten of the clock at night to two or three in the morning."[1]

As we are at present only following King James to his new home, the only excuse for bringing in scenes which followed a year or two after his accession is, that they in some measure interpret his character in the shape to which he speedily brought the more decorous pageants of Queen Elizabeth's time, as they were presented for his entertainment by his exulting subjects on his progress southwards.

He received many precious gifts from wealthy corporations and local magnates. Among these were horses of rare and high breeding, richly apparelled. The givers of these paid their homage to the king's passion for hunting. Though he came from a country where wild animals were more abundant, the native field-sports were not so much to his taste as those which he found in England. The nomenclature of England about forests and parks, or preserves, had found its way into Scotland; but the things themselves as they were in England—tracts watched with much care and cost, and artificially supplied with game—were hardly to be found there. The hunting-fields were as nature made them, and the use of them was restricted rather by natural than artificial difficulties. There was excitement and enjoyment in the pursuit, no doubt; but the avowed end of all field-sport was that of the primitive hunter—to slay and eat. Thus the deer and the wild boar were hunted or stalked. The wolf and the fox, being not only competitors with man for the edible game, but destructive

[1] Letters, &c. (Maitland Club), 24.

to farm animals, were to be extirpated by all easiest and shortest methods. It was no matter that their carcasses lay rotting, and so they were often caught and left in snares. They were not generally hunted for sport; and it is a novelty to find, in a letter of the year 1631, the Earl of Mar writing from Stirling: "Being come to stay in this town a good part of the winter, I think my greatest sport shall be the hunting of the fox; therefore I will earnestly entreat you to send me with this bearer a couple of good earth-dogs." But had an inhabitant of Scotland in the seventeenth century been told of a possible community in which the fox was carefully cultivated for their enjoyment, it would have held the same position in his mind as the anthropology of 'Gulliver's Travels.' To this day, in remote parts of Scotland, the English stranger is puzzled by a rough peasant calling himself "a fox-hunter," and not less when he gives the further explanation that it is his duty to "destroy vermin."

It is under King James that we find the dawn of artificial hunting-grounds, or spaces laid out for parks or preserves in the peopled part of the country. What there was of that kind was a poor imitation of the English model. When King James afterwards paid a visit to Scotland, he found at his hunting-park at Falkland but sorry sport, although great efforts were made to have it in hunting order for his exclusive use. Meanwhile he found, on his way to London, such opportunities of enjoying his favourite sport, that he pursued it with a childish delight. Even the English, a hunting people, were astonished at his zeal, and complained that they could get no attention to business while the king had easy access to a hunting-field.

Of course, during his progress, those who had the felicity to possess the means were passing glad to put them at the disposal of the new monarch. The spirit of laborious trifling which animated the pageants seems to have been at work here also. Only an adept in field-science can understand the precise nature of the arrangement told in the following words, but any one can see that it was complicated and ingenious:—

"From Stamford Hill to London was made a train with a tame deer, with such twinings and doubles that the hounds could not take it faster than his majesty proceeded; yet still, by the industry of the huntsman, and the subtlety of him that made the train, in a full-mouthed cry all the way, never farther distant than one close from the highway whereby his highness rid, and for the most part directly against his majesty, whom, together with the whole company, had the lee-wind from the hounds, to the end that they might the better perceive and judge of the uniformity in the cries."[1]

Ever as he went, the enthusiasm and excitement that had attended him from Berwick gathered strength and breadth. They came to their climax as he neared Theobalds, the domain of Cecil, whom he knew to be

[1] Letters, &c. (Maitland Club), 23. The violent affection of the king for this sport, and also perhaps his knowledge of the perfections of it, might possibly commend his manner to a master of hounds of the present day as one before his age. For instance, in a rambling letter to Buckingham he offers his ardent gratitude "for breeding me so fine a kennel of young hounds, some of them so fair and well shaped, and some of them so fine pretty little ones, as they are worthy to lie in Steeny and Kate's bed. And all of them run together in a lump, both at scent and view. And God thank the master of the horse for providing me such a number of fair useful horses fit for my hand. In a word, I protest I was never master of such horses and hounds: the bearer will tell you what fine running we had yesterday."—Nugæ Antiquæ, i. 394.

his faithful and assured servant. It is often said that no one knows what will stir the enthusiasm of the English nature, but once roused it is a vast and uncontrollable moral phenomenon. Some half a century earlier the question would have been, whether a king coming from the hated Scots could pass in safety to the seat of government. And he who now came was not of an aspect to fascinate the world by his presence. As it fell out, not only did he receive the natural homage of the courtiers and the liberal hospitality of the country squires, but the people flocked round him in wild and joyous excitement. One who stood waiting at the gate of Theobalds, after telling that the greatness of the concourse of people "was incredible to tell of," goes on:—

"Then, for his majesty going up the walk, there came before his majesty some of the nobility, some barons, knights, esquires, gentlemen, and others, among whom were the Sheriffs of Essex and the most of his men, the trumpets sounding next before his highness, sometimes one, sometimes another; his majesty not riding continually between the same two, but sometimes one, sometimes another, as seemed best to his highness, the whole nobility of our land and Scotland round about him observing no place of superiority—all bareheaded. All whom alighting from their horses at the entrance into the first court, save only his majesty alone, who rid along still, four noblemen laying their hands upon his steed—two before, and two behind. In this manner he came till he was come to the court door where myself stood, where he alighted from his horse, from which he had not gone ten princely paces but there was delivered him a petition by a

young gentleman, his majesty returning him this gracious answer, that he should be heard and have justice. At the entrance into that court stood many noblemen, among whom was Sir Robert Cecil, who there meeting his majesty, conducted him into his house; all which was practised with as great applause of people as could be, hearty prayer, and throwing up of hats. His majesty had not stayed above an hour in his chamber, but hearing the multitude throng so fast into the uppermost court, to see his highness, as his grace was informed, he showed himself openly out of his chamber window by the space of half an hour together, after which time he went into the labyrinth-like garden to walk, where he recreated himself in the Meander's compact of bays, rosemary, and the like overshadowing his walk, to defend himself from the heat of the sun, till supper-time, at which was such plenty of provision for all sorts of men in their due place as struck me with admiration."[1]

It is not wonderful that King James associated pleasant memories with the scene of such an ovation. He set his heart on Theobalds, and it afterwards became his own and his favourite rural palace.

This may afford a good opportunity for attempting a sketch of that royal family which the great realm of England received from her poor neighbour. Of the head of the house, the king himself, the features, both moral and physical, were so large and grotesque that the poorest artist could scarcely fail to render them, although not in a harmonious whole, for in some instances there are inconsistencies which it is scarce possible to reconcile. He was a very timid and irresolute

[1] Saville in Nichols, i. 137.

man, and yet on more than one occasion he behaved with an amount of nerve and courage which the greatest of heroes could not have excelled. People from the other side of the North Sea speak of his journey to bring home his wife as a thing which he surely would not have attempted had he known the perils of the coast of Norway in winter. Whether he knew what he incurred or not on that occasion, we have seen his conduct on another when the peril was not of his own seeking. He held his own in the hand-to-hand struggle with young Ruthven. He reminded the young man of the presence he was in, and the propriety of removing his hat. He corrected the mysterious man in armour when he was opening the wrong window. When Ramsay drew the dagger and let go the king's hawk to free his hand, James put his foot on the leash to prevent his favourite from escaping by the window. Finally, the struggle had taught him that his assailant wore secret armour, so he told Ramsay to strike below it. It is known that men of a nervous temperament, when at bay and desperate, become unconscious of their position, and act from a sort of mechanical influence, as if there were no danger near them. Are we so to account for these wonderful instances of presence of mind?

The nature of the man is one that can best be described after the Plutarchian method, by contrast, and the contrast shall be, in this case, with his mother. She has been renowned over the world for her wondrous beauty; and if it were not that the world, in the things it dwells on and celebrates, prefers grace to deformity, the son's ugliness might have been as widely renowned. It was a common tradition that

Rizzio was uncomely and misshapen; and the recollection of this gave emphasis to the taunt that he was "the son of Senior Davie,"—a taunt so much on the lips of that numerous body in Scotland who disliked their king, that it cannot but sometimes have come to his ear. His mother's beauty was adorned by natural dignity; she was fully endowed with the repose and self-assurance which are in becoming harmony with rank and power. The son, on the other hand, seemed ever to find it necessary to remind the world by word or deed that he was every inch a king; he was as fussy and pompous in expanding his rank and power before the eyes of the vulgar as the *bourgeois gentilhomme* of Molière. Queen Mary had learning and accomplishments, but they lay stored aside for important use. As she drew on them for help when she was throwing the bondage of her fascinations over any victim, pedantic display was not the shape in which they would serve her; and for the more serious business of a sovereign it was her policy not to seem learned above the usage of her sex, but yet to have the knowledge by which she could defend herself at hand in case of need. All the world knows what a bragging pedant the son was, and how he held his learning ever on his tongue, as one whose mind had been fed with meats too strong for its digestion.

So it was in the use of duplicity. Perhaps no one in that age could handle it with such easy subtlety as Queen Mary, and that because she kept it for important occasions, and even then concealed it under that genial frankness which seemed to be not a mask but the natural face of her life. The son, on the other hand, was ever playing tricks, by way of exercising himself

in that chronic system of mendacity and deception which he chose to nourish as kingcraft.

Even in the evil repute that haunted both, there was the antithesis of the sublime and the ridiculous. The charges against the mother were of those great appalling crimes which frighten mankind; yet they had to be sought out under a covering of calm decorum and gentle elegance, such as might become unsullied virtue. Her son, on the other hand, wallowed in filth, moral and physical. His Court was the crew of Momus without the seductive cup of Circe, that was employed to sink better natures to the level of its degradation. To whoever approached it, the eye and nostrils told of the abomination before he entered, and he made his election in full consciousness of what it was. The meanness of those about him, his loathsome familiarities with them, his diseased curiosity about the things that rightly-tempered minds only approach at the bidding of necessity and duty, his propensity to touch and stir whatever was rank and offensive, afforded to his malignant enemies the range over the whole scale of sensual vices as their armoury. And yet there is reason to believe that he was not an unfaithful husband, and that his only personal vice was in the bottle. Yet although his indulgence in drinking was, like the other offences of his habits, not only undraped by any outward cover of decorum, but in a manner profusely thrust on the gaze of all men, it appears to have been superficial rather than deep; he seems to have indulged in continuous soaking, after the German fashion, rather than, after the manner of his own countrymen, to have reserved his powers for deep drinking-bouts.

Scotland, as a poorer and ruder country than England, was naturally more tolerant of so grotesque a figure. His oddities, too, had grown up among the Scots; and as they were to some extent moulded on national characteristics, they were naturally not so obvious and offensive to his own countrymen as to the people of his new dominion. Thus, although he had many enemies among his Scottish subjects, it is not until his oddities passed under the eye of the English wits of the day that we find them described with sarcastic picturesqueness. Among the many sketches of these, perhaps the most powerful is the following from the stinging pen of Sir Anthony Weldon. It may be doubted if there is in the English language a more thoroughly finished picture of a shambling lout:—

"He was of a middle stature, more corpulent through his clothes than in his body, yet fat enough; his clothes ever being made large and easy, the doublets quilted for stiletto-proof; his breeches in great plaits, and full stuffed. He was naturally of a timid disposition, which was the greatest reason of his quilted doublets. His eyes large, ever rolling after any stranger came in his presence, inasmuch as many for shame have left the room, being out of countenance. His beard was very thin; his tongue too large for his mouth, which ever made him speak full in the mouth, and made him drink very uncomely, as if eating his drink, which came out into the cup on each side of his mouth. His skin was as soft as taffeta sarcenet, which felt so because he never washed his hands—only rubbed his finger-ends slightly with the wet end of a napkin. His legs were very weak, having had, as was thought, some foul play in his youth, or rather before he was

born, that he was not able to stand at seven years of age—that weakness made him ever leaning on other men's shoulders. His walk was ever circular, his fingers ever in that walk fiddling about his codpiece. He was very temperate in his exercises and in his diet, and not intemperate in his drinking; however, in his old age, and Buckingham's jovial suppers, when he had any turn to do with him, made him sometimes overtaken, which he would the very next day remember and repent with tears. It is true he drank very often, which was rather out of a custom than any delight; and his drinks were of that kind for strength, as frontenac, canary, high-country wine, tent, and strong ale, that had he not had a very strong brain might have daily been overtaken, although he seldom drank at any time above four spoonfuls, many times not above one or two. . . .

"In his diet, apparel, and journeys he was very constant. In his apparel so constant, as by his goodwill he would never change his clothes till almost worn out to rags—his fashion never; insomuch as one bringing to him a hat of a Spanish block, he cast it from him, swearing he neither loved them nor their fashions. Another time, bringing him roses on his shoes, he asked if they would make him a ruff-footed dove—one yard of sixpenny ribband served that turn. His diet and journeys was so constant, that the best-observing courtier of our time was wont to say, were he asleep seven years he would tell where the king every day had been, and every dish he had had on his table."

The author of these characteristics of the outward man says little about his intellectual and moral nature, but that little has its point: "He was very witty, and

had as many ready witty jests as any man living, at which he would not smile himself, but deliver them in a grave and serious manner. He was very liberal of what he had not in his own grip, and would rather part with a hundred pounds he never had in his keeping, than one twenty-shilling-piece within his own custody. . . . By his frequent sermons he appeared religious; yet his Tuesday sermons (if ye will believe his own countrymen that lived in these times when they were erected, and well understood the cause of erecting them) were dedicated for a strange piece of devotion.

"He would make a great deal too bold with God in his passion, both in cursing and swearing, and one strain higher verging on blasphemy; but he would in his better temper say he 'hoped God would not impute them as sins and lay them to his charge, seeing they proceeded from passion.' He had need of great assurance rather than hopes that could make daily so bold with God.

"He was very crafty and cunning in petty things, as the circumventing any great man, the change of a favourite, or insomuch as a very wise man was wont to say, he 'believed him the wisest fool in Christendom,' meaning him wise in small things, but a fool in weighty affairs."[1]

[1] Weldon's Character of King James, vol. ii. of Scott's collection on the 'Secret History of the Court of James I.' The "Tuesday's sermons" were a weekly commemoration of his deliverance from Gowrie by a household service. Weldon's "Character" was not printed until the year 1650, some time after his death. It is to be found, under the year 1625, in the Annals of Sir James Balfour, who says, a friend, "at the close of the annual of this king's life, sent me the following character under his hand, and desired me, if I so pleased, to insert the same at the end of King James the Sixth, his Life and Reign, in my Annals." Scott

Another writer, in a mere description of an interview with King James, affords an exquisite sketch of his motley character. Sir John Harington writes to Sir Amyas Paulet in January 1607. He had an audience of King James, who began in complimentary fashion on the Harington family: "Then he inquired much of learning, and showed me his own in such sort as made me remember my examiner at Cambridge aforetime. He sought much to know my advances in philosophy, and uttered profound sentences of Aristotle, and suchlike writers, which I had never read, and which some are bold enough to say others do not understand; but this I must pass by. The prince did now press my reading to him part of a canto in 'Ariosto;' praised my utterance, and said he had been informed of many, as to my learning, in the time of the queen. He asked me 'what I thought pure wit was made of, and whom it did best become; whether a king should not be the best clerk in his own country; and if this land did not entertain good opinion of his learning and good wisdom.' His

gives the following account of Weldon: "His native county was Kent, and his father was clerk of the kitchen, or held some such office in the household of Queen Elizabeth. Sir Anthony Weldon himself was preferred to be one of the clerks of the Board of Green Cloth. In this capacity he attended James I. upon his visit to his ancient and original kingdom. But the fare of Scotland, even when amended for the presence of her native monarch, was but indifferently suited to the hereditary taste of Sir Anthony Weldon, educated, as it were, among the fleshpots of the English Court; and he gave vent to his contempt in a libel, in which the pride, poverty, and Puritanism, but especially the bad cheer, of Scotland, were ridiculed without mercy. This piece he inadvertently wrapped up in a record of the Board of Green Cloth, which circumstance, together with the handwriting, having ascertained the author, he was dismissed from his office—a severe punishment for writing a *jeu d'esprit* which it does not appear he had any intention to make public."—Secret History, i. 302.

majesty did much press for my opinion touching the power of Satan in matter of witchcraft; and asked me, with much gravity, 'if I did truly understand why the devil did work more with ancient women than others.'" "More serious discourse did next ensue, wherein I wanted room to continue and sometime room to escape; for the queen his mother was not forgotten, nor Davison neither. His highness told me her death was visible in Scotland before it did really happen, being, as he said, 'spoken of in secret by those whose power of sight presented to them a bloody head dancing in the air.' He then did remark much on this gift, and said he had sought out of certain books a sure way to attain knowledge of future chances. Hereat he named many books, which I did not know, nor by whom written; but advised me not to consult some authors which would lead me to evil consultations. I told his majesty 'the power of Satan had, I much feared, damaged my bodily frame; but I had not farther will to court his friendship, for my soul's hurt.' We next discoursed somewhat on religion, when at length he said: 'Now, sir, you have seen my wisdom in some sort, and I have pried into yours. I pray you, do me justice in your report, and in good season I will not fail to add to your understanding in such points as I may find you lack amendment.' I made courtesy hereat, and withdrew down the passage and out at the gate, amidst the many varlets and lordly servants who stood around."[1]

He had one virtue as a ruler which would go far in good repute at the present day—he was a pacific sovereign. His frequent maxim was, "Blessed are the

[1] Harington's Nugæ Antiquæ, i. 367-70.

peacemakers;" and practically he followed it in the neutral sense of avoiding the responsibility of war. How his mother's disposition and career were the reverse of this—how prone she was to strife and blood, and how it had been permitted to her to curse the world by the exercise of her propensities, we have fully seen. And yet, in comparison with her strange eventful history, the peaceful tenor of her son's reign loses the dignity that an eminent regal virtue should have bestowed on it. In truth his pacific tendencies came forth in a form uncongenial to the period, and perhaps to all periods. It expressed itself in personal timidity, and that was a defect so odious that no one could tolerate it, so as patiently to examine what good influence there might be lurking behind it. Personally he earned the reward of his pacific nature. He was the first monarch of his race since the Jameses began who was permitted to reach the natural duration of his days; for though his grandfather was not slain, his end was hastened by violence. When we trace the genealogic line of his house, we find it inaugurated by the murder of his father and the ruin of his mother, ending in the scaffold; and we find him followed by a son beheaded and a grandson dethroned.

Such was the king who passed to his new throne in triumph, the desired of all English hearts. It seemed as if there were in his motley character some spots and colours on which every party, both in Church and State, could found some morsel of hope for the future. Having been king in a Presbyterian community, he would surely not press harshly on the Separatists and Puritans. Yet the High Churchmen found him uttering sound opinions; and to the Romanists there were

glimpses of intelligence in his writings and his conduct which held forth consolation. All this stands forth as one of the most conspicuous practical lessons on the incompleteness of human wisdom and the uncertainty of human designs. It is perhaps hardly possible, in the lives of great kings and statesmen, to find any one who, by the mere aid of his own deep sagacity, planned and carried into effect so completely fortunate a destiny as that which fell to King James. And yet if we look for the personal causes of all this prosperity, we shall find it rather in defects or weaknesses than in great endowments.

The new King of England was followed by a cheerful household, to enliven the dreary abode of the companionless old queen. There was his wife, Anne of Denmark; Prince Henry, nine years old; Elizabeth, eight; and Charles, three. A third son, Duke Robert, had died in his cradle about a year before the migration. Queen Anne crosses the history of the period privately and silently; yet one can see enough of her to find that she had a character of her own which exercised an unseen influence on the Court and her family. She was sorely assailed by imputations which seem to have been causeless, and to have sprung out of that propensity to court gossip and suspicion, whence no virtue or prudence could at that time protect a princess who was both handsome and lively. It gave force and motive to the efforts of her assailants that she was suspected of a leaning to Popery. For this charge there was sufficient ground in the logic of that day, though it will not stand the test of less partial comment. She was no supporter of the zealous party in the Church of Scotland. They found it hard to

bend her to conformity with their discipline, and therefore they readily believed that she belonged to the enemy. Whatever she may have done in early life to justify such rumours, she died in 1619 ostensibly a sound Protestant of the Church of England. Abbot, Archbishop of Canterbury, and King, Bishop of London, attended at her deathbed. When they prayed, it is set down that "word by word she followed them." "Then the Bishop of Canterbury said, 'Madam, we hope your majesty doth not trust in your own merits nor to the mediation of saints, but only by the blood and merits of our Saviour Christ Jesus you shall be saved.' 'I do,' she answers; 'and withal,' she says, 'I renounce the mediation of all saints and my own merits, and does only rely upon my Saviour Christ, who has redeemed my soul with His blood.'"[1]

Anne of Denmark on one or two occasions had such explosions of temper as good women, conscious of rectitude, are subject to; and we can easily believe that such a man as her husband would not keep her entirely exempt from excuses for resentment. The most remarkable of these bickerings was just as both came to their fortune. There was a misunderstanding about the custody of Prince Henry. He was in the hands of the

[1] "Madam the Queen's Death and Maner theirof," among Sir James Balfour's MSS.; Abbotsford Miscellany, 81. This must be held an effectual contradiction of a statement very confidently made in a review on Ranke's 'History of the Popes,' where he is charged with omitting the fact that "Anne of Denmark, James's queen, was a secret Roman Catholic in regular correspondence, receiving letters and indulgences from Rome" (Quarterly Review, April 1837). This is said to come out in a correspondence about a marriage of Prince Henry with one of the Medici family—a very hopeless effort, the prince having had a horror of Popery, and expressed his objection to a Popish wife with more distinctness than courtesy.

Earl and Countess of Mar, with instructions not to give him up to any one. When Queen Anne was going to take her son to England, it appears that this instruction was read as a prohibition to give the child up even to his mother; and the outrage was aggravated to her by a belief on her part, whether well founded or not, that her son was withheld from her custody as being unsafe on account of her dealings with Papists.

She was hard to be entreated in this affair, and even when reparation and apology were tendered, she continued to nurse her wrath. Her husband wrote her a letter of remonstrance on this occasion, so well toned that if we knew nothing else about its author we might pronounce him a wise and generous husband. He says: "I wonder that neither your long knowledge of my nature, nor my late earnest purgation unto you, can cure you of the rooted error that any living dare speak or inform me in anyways to your prejudice, or yet that ye can think they're your unfriends that are true servants to me. I can say no more, but protest, upon the peril of my salvation and damnation, that neither the Earl of Mar, nor any flesh living, ever informed me that ye was upon any Popish or Spanish course, or that ye had any other thoughts but a wrong-conceived opinion that he had more interest in your son, or would not deliver him unto you; neither doth he farther charge the noblemen that was with you then, but that he was informed that some of them thought by force to have assisted you in the taking my son out of his hands: but as for any other Papist or foreign practice, by God, he doth not so much as allege it; therefore he says he never will presume to accuse them, since it may happen well to impart your offence.

And therefore I say over again, leave these froward womanly apprehensions; for I thank God I carry that love and respect unto you which by the law of God and nature I ought to do to my wife and mother of my children. But not for that ye are a king's daughter; for whether ye were a king's or a cook's daughter, ye must be all alike to me, being once my wife. For the respect of your honourable birth and descent I married you; but the love and respect I now bear you is because that ye are my married wife, and so partaker of my honours as of my other fortunes. I beseech you, excuse my rude plainness in this, for casting up your birth is a needless impertinent argument to me. God is my witness I ever preferred you to all my bairns, much more then to any subject. But if you will ever give place to the reports of every flattering sycophant that will persuade you that when I account well of an honest and wise servant for his true faithful service to me, that it is to compare or prefer him to you, then will neither ye or I be ever at rest or peace."[1]

The queen's letters are generally written in a beautiful Italian hand, as legible as letterpress and almost as uniform. One, however, blotted and interlined, bears both in its aspect and its tenor the mark of passion. The bearer of it was Sir Roger Aston, and so far as it is legible it runs thus: "What I have said to Sir Roger is true. I could not but think it strange that any about your majesty durst presume to

[1] Letters to King James the Sixth from the Queen, Prince Henry, Prince Charles, the Princess Elizabeth, and her husband, Frederic, King of Bohemia, and from their son Prince Frederic Henry; from the originals in the Library of the Faculty of Advocates, introduction, p. xxx.

bring near where your majesty is one that had offered me such a public scorn—for honour goes before life."

Another short letter gives us a pleasanter touch of her character. It intercedes for the life of Raleigh, to whose singular accomplishments, including a knowledge of the pharmacy of the foreign schools, Queen Anne is said to have been indebted for relief from a painful disease. The letter is addressed to Buckingham, and one can feel that the writer must have blushed as the urgency of the occasion drove her into those terms of unseemly familiarity which her husband addressed to his favourite: "My kind doge, if I have any power or credit with you, I pray let me have a trial of it at this time in dealing sincerely and earnestly with the king, that Sir Walter Raleigh's life may not be called in question. If you do it so that the success answer my expectation, assure yourself that I will take it extraordinary kindly at your hands, and rest one that wisheth you well, and desires you to continue still, as you have been, a true servant to your master."

This was not the only occasion in which she interceded, and interceded in vain. King James was not a severe monarch; but where his own sacred person came into question, all vestiges of mercy fled from his heart, and nothing was too heavy a retribution to him who had been guilty of sacrilege against God's vicegerent on earth. It was where he was thus personally concerned that the intercession of the gentle wife was the more seemly, but it was also where there was least hope. Thus in vain had she pleaded against the forfeitures which pursued the house of Gowrie with the unjust and pitiless vengeance that under the old dispensation punished the race for the crime of the man.

Let us look at still another specimen of her composition, as creditable to her head as the last is to her heart. It is supposed to allude to the marriage of the aged Earl of Nottingham to the youthful Lady Margaret Stewart. We can see that the writer lets fly an arrow of sharp wit, though we may not note the exact mark hit by it:—

"Your majesty's letter was welcome to me. I have been as glad of the fair weather as yourself. The last part of your letter you guessed right that I would laugh. Who would not laugh both at the persons and at the subject, but more at so well a chosen Mercury between Mars and Venus? You know that women can hardly keep counsel. I humbly desire your majesty to tell me how it is possible that I should keep this secret, that have already told it, and shall tell it to as many as I shall speak with; and if I were a poet, I would make a song of it, and sing it to the tune of 'Three fools well met.'"

This is from the collection of family letters already referred to. Those of the royal children go along with a few preserved elsewhere, to testify that they were a family with simple tastes, strongly attached to their parents and to each other. Prince Henry writes a Latin letter in a fine square Italian hand, designed to show his father what progress he has made in learning, being now in his seventh year. Prince Charles writes: "Sweete, sweete father, I learn to decline substantives and adjectives. Give me your blessing. I thank you for my best man.—Your loving son, YORK." In another collection there is this pleasant letter to his elder brother:—

"Sweet, sweet brother, I thank you for your letter.

I will keep it better than all my graith, and I will send my pistols to Master Newton. I will give anything I have to you—both horse and my books, and my pieces and my crossbows, or anything that you would have. Good brother, love me, and I shall ever love and serve you.—Your loving brother to be commanded, YORK."

The collection of letters in the Advocates' Library is a well-kept memorial of a royal household. The paper is unstained and unworn. Each falls into its original folds. The wax impressions from the small finely-cut seals are as sharp as when the wax cooled, and the floss-silk adheres to each just as it was cut to open the letter. He who muses over them feels like one who is listening to the prattle of the nursery, while, endowed with the gift of prophecy, it is his sad privilege to anticipate the future of its innocent inmates, and see the dark troubled life and its bloody end.[1]

Prince Henry was the hope of both nations. Peo-

[1] In the volume above referred to (p. 171) as printed for the Maitland Club the letters are given in facsimile. They belong to the collection made by Sir James Balfour, Lord Lyon, a celebrated legal antiquary of the middle of the seventeenth century. A facsimile of a selected portion of the letters is in preparation for the series of historical documents issued by the Lord Clerk Register of Scotland. The letters, other than those in the Balfour collection, referred to in the text, are to be found in the introduction to the Maitland volume.

If it be asked why these trifling personal details, inconsistent with the fabric of other parts of this work, are now introduced, the excuse is in the opportunity. We cannot see an interior from a distance. The author has been reproached for omitting personal anecdotes about the earlier monarchs, but he omitted them because he did not find them in the materials on which he relied. Even in Queen Mary's life, much as it has been pried into, we have little of the domesticities. Now for the first time we are permitted to step into the monarch's abode, and we look about us.

ple thought they saw revived in him the spirit of two gallant races—the Stewarts and the Guises. The prospect of so hopeful a successor did much among the English to apologise for the imperfections of the monarch in possession. When James departed for England he addressed a letter to his son, full of such good sense as he could always put upon paper when he was speaking of common things, and not preaching on the divine right of kings, witchcraft, the influence of tobacco, and other exciting topics. He says: "That I see you not before my parting impute it to this great occasion wherein time is so precious, but that shall, by God's grace, be recompensed by your coming to me shortly, and continual residence with me ever after. Let not this news make you proud or insolent. A king's son and heir was ye before, and nae mair are ye yet. The augmentation that is hereby like to fall unto you is but in cares and heavy burdens. Be therefore merry, but not insolent. Keep a greatness, but *sine fastu*. Be resolute, but not wilful. Keep your kindness, but in honourable sort. Choose nane to be your playfellows but them that are well born. And above all things give never good countenance to any but according as ye are informed that they are in estimation with me. Look upon all Englishmen that shall come to visit you as upon your loving subjects, not with that ceremony as towards strangers, and yet with such heartiness as at this time they deserve."

The king left behind for the use of his son that manual of conduct set forth for his guidance under the title of 'Basilikon Doron,' or the royal gift. It was presented with this commendation: "I send you

herewith my book lately printed. Study and profit in it as ye would deserve my blessing; and as there can nathing happen unto you whereof ye will not find the general ground therein, if not the very particular point touched, so maun ye level every man's opinions or advices unto you as ye find them agree or discord with the rules there set down—allowing and following their advices that agrees with the same, mistrusting and frowning upon them that advises you to the contrary."[1]

Prince Henry gained golden opinions from the English by his ardent devotion to athletic pastimes. In Scotland these were never popular. Ever poor, and ever struggling for national existence, perhaps the amount of real earnest work, involving toil, hardship, and danger, extinguished any taste for an amateur indulgence in such excitements. The people could fight when they saw an enemy, and could hunt down wild animals for food; but they had no turn for tilting or hunting in sport. But Prince Henry went heartily and thoroughly into the English humour. A contemporary tells us, that besides hunting and tilting, "his other exercises were dancing, leaping, and, in times of year fit for it, learning to swim; at some times walking fast and far, to accustom and enable himself to make a long march when time should require it; but most of all at tennis-play, wherein, to speak the truth, which in all things I especially effect, he neither observed moderation nor what appertained to his dignity and person, continuing ofttimes his play for the space of three or four hours, and the same in his shirt, rather becoming

[1] Letters, &c. (Maitland Club), introduction, 28.

an artisan than a prince."[1] He endeavoured to introduce among the English the game of golf, one of the few pastimes for the adult which had been followed in Scotland. It may be likened to open-air billiards played on the turf instead of the table. An anecdote was preserved, in which the prince, being warned that by the stroke he was going to take he might hit his tutor, said, "Had I done so, I had but paid my debts."

He was accustomed to speak with vehement distaste of Popery. He was hence the great champion and hope of the Protestant party, and it is to his holding this ecclesiastical position that we may attribute the dark rumours about foul play that attended his early death. In after-times he was counted among the happy who die young, and are spared the evil days in store for them. But on the other hand it was said, that had he lived it would have been to change the face of history. The same was said in later times when the son of Louis XV. died in boyhood, and ever will be said when a popular heir to great destinies dies before he reaches his kingdom, and hands it over to another in whose hands it is shipwrecked. The national loss was portended by supernatural appearances in the elements: "On Thursday evening appeared a fatal sign, about two hours or more within the night, bearing the colours and show of a rainbow, which hung directly across over St James's House. It was first perceived about seven o'clock at night, which I myself did see, with divers others looking thereupon with admiration, continuing until past bed-

[1] Cornwallis's "Discourse of the Most Illustrious Prince Henry;" cited, Letters, &c. (Maitland Club), 36.

time, being no more seen."[1] The Earl of Dorset, writing to a friend about the evil news, expressed the national feeling in saying: "To tell you that our rising sun is set ere scarce he had shone, and that all our glory lies buried, you know and lament as well as we, and more truly, or else you were not a man and sensible of this kingdom's loss."[2]

The loss was the more perceptible that his younger brother Charles had been a puny child, both his body and mind lingering behind the advance proper to his years. Sir Robert Carey, who was much trusted by the royal family, though not their kinsman as he was Elizabeth's, says of him: "When I was at Norham God put it in my mind to go to Dunfermline to see the king's second son. I found him a very weak child." He says: "There were many great ladies suitors for the keeping of the duke; but when they did see how weak a child he was, and not likely to live, their hearts were down, and none of them was desirous to take charge of him." Hence the prize fell more easily to the lot of Carey and his wife, who had sufficient courage. "The duke," he continues, "was past four years old when he was first delivered to my wife. He was not able to go, nor scant stand alone, he was so weak in his joints, and especially his ankles, insomuch as many feared they were out of joint; yet God so blessed him both with health and strength, that he proved daily stronger and stronger. Many a battle my wife had with the king, but she still prevailed. The king was desirous that the string under his tongue

[1] Cornwallis's "Discourse of the Most Illustrious Prince Henry;" cited, Letters, &c. (Maitland Club), 39.

[2] Ibid.

should be cut, for he was so long beginning to speak as he thought he would never have spoke. Then he would have him put in iron boots to strengthen his sinews and joints. My wife had the charge of him from a little past four till he was almost eleven years old, in all which time he daily grew more and more in health and strength, both in body and mind, to the amazement of many who knew his weakness when she first took charge of him."[1]

On the 30th of May 1603, just when James had settled down in his new dominion, the Lord Fyvie, evidently trying to make the best of a poor story, reported of the boy: "Your sacred majesty's most noble son Duke Charles continues, praised be God, in good health, good courage, and lofty mind, although yet weak in body; is beginning to speak some words —far better as yet of his mind and tongue nor of his body and feet. But I hope in God he shall be all well and princely, worthy of your majesty, as his grace is judged by all very like in lineaments to your royal person."[2] A year and a few months later, in January 1604, we are told: "On Twelfth-Day we had the creation of Duke Charles, now Duke of York. The interim was entertained with making Knights of the Bath, which was three days' work. They were eleven in number besides the little duke, all of the king's choice. The solemnity of the creation was kept in the hall, where first the duke was brought in, accompanied by his knights; then carried out again, and brought back by earls in their robes of the garter. My lord admiral bare him, two others went as supporters, and six marched before with the ornaments. The patent was

[1] Memoirs, 137 *et seq.* [2] Letters, &c. (Maitland Club), 33.

read by my Lord Cranbourne, and drawn in most elegant law Latin by Mr Attorney; but so we have a Duke of York in title, but not in substance."[1] Such are the notices we have of the first acquaintance of the English people with a prince destined to fill a memorable and tragic place in their history.

There was still another royal child whose career was to be eventful and sad, and to be far away from the country both of her childhood and of her youth. Her husband's election to the throne of Bohemia, the disastrous conflict brought on him by this distinction, and the misfortunes of the family, are part of the history of the Thirty Years' War. In British history the Princess Elizabeth must be ever remembered as the ancestress of the royal line, since her grandson, the son of her daughter, the Electress Sophia, was the first king of the British empire under the final adjustment made by the Act of Settlement. She was, the mother, too, of Prince Rupert, the hero of the cavaliers in the great civil war. Elizabeth's career in life was restless and uncomfortable, not only through the political troubles which beset her husband, but through her own caprice and wilfulness. Her letters, however, in the family collection, have little in them but dry business and decorum. They are written in a beautiful Italian hand; and she selects in them the English language, the French, and the Italian, as one at home in all.[2]

[1] Sir Dudley Carleton to Secretary Winwood; Letters, &c. (Maitland Club), 46. The adept in "law Latin" was the great Coke.

[2] A letter by her eldest son, Frederic Henry, to King James, is a fitting companion to the baby productions of his uncles contained in the same collation: "Sir, I kiss your hand. I would fain see your majesty. I can say *nominativo, hic, hæc, hoc,* and all five declensions, and a part of

Such are a few of the leading characteristics that have reached us of the royal family transferred from Scotland to England through the union of the crowns. When it happens, as sometimes it does, that on the death of some man of vast wealth, the genealogical detectives find his nearest relation, and the heir of his possessions, in a common workman, supplying by his daily toil a sordid sustenance to his family, the contrast of the first and the last part of the man's life can scarcely be greater than that between James King of Scotland, and James King of "England, Scotland, France, and Ireland." In the end, for all the doubts and difficulties besetting the succession, the new king owed a great debt of gratitude to Queen Elizabeth. She had disciplined the Court into thorough subjection and adoration, and he reaped where she had sown; for no man was less fitted to create such a paradise, and no man better suited to enjoy it when it fell to his lot. The heart of the English constitution was sound; and the gentry, peasantry, and citizens retained many items of old Saxon freedom which were thought not to exist because they were not put to the test in Elizabeth's day. All the world knows how effectually they came into action at the hour of trial. But while the public liberties were not disturbed, every one who went to Court knew that he must accept the position of living under an absolute despotism. Perhaps, from some natural touch of chivalry, the delusion was more readily helped because the despot to be obeyed and the idol to be worshipped was a woman. The rever-

pronomen and a part of *verbum*. I have two horses alive that can goe up my staires, a black horse and a chesnut. I pray God to bless your majesty.—Your majesty's obedient grandchild, FREDERIC HENRY."

ence to the sovereign might partake of the homage to the sex. However it arose, it was endowed with system and decorum, and had certainly an aspect less repulsive than it assumed when the ungainly male figure floundered among the doctrines and usages of divine right. Courtiers trained in this school came for him, and attended him to his new home, taking care that on the way everything should nourish and nothing should dispel the atmosphere of obedience and worship that surrounded the representative of God on earth. If we can believe a story of the time, indeed, the law of England was outraged in the nourishment of this notion. It is told how a pickpocket, or "cut-purse," according to the nomenclature of the day, having been caught pursuing his profession in the throng that accompanied the royal progress, King James sent him to the recorder of Newark-on-Trent, with an order or warrant that he should be hanged; and he was duly hanged accordingly. The reproach of this act has curiously enough been cast upon the law and constitution of Scotland. A succession of commenters on it have argued that the king must have been accustomed in his old dominion to order offenders for execution without trial. Had his order been disobeyed on the south side of the Border, there had been more reason for this view, but the story says it was obeyed. It is certain that the king enjoyed no such power in Scotland; and the fairer inference, were the story undoubted, would be that the flattering speeches of the courtiers taught him to believe that in England he was to be an absolute monarch. The story, however, requires more support than the original evidence gives it. It is one of the many things believed on account

of reiterated assertion and the quantity of controversy that clouds it; for in the troubles of the next reign this was cited as the first arbitrary act of the Stewarts, showing the nature of the political doctrines which they had brought with them from Scotland; and the pick-pocket became the protomartyr of the persecutions which provoked the great civil war and the revolution.[1]

[1] The contemporary account of the affair is: "In this town, and in the Court, was taken a cut-purse doing the deed; and being a base pilfering thief, yet was a gentleman like in the outside. This fellow had good store of coin found about him; and upon examination confessed that he had from Berwick to that place played the cut-purse in the Court. His fellow was ill missed, for no doubt he had a walking mate: they drew together like coach-horses, and it is pity they did not hang together; for his majesty, hearing of this nimming gallant, directed a warrant presently to the recorder of Newark to have him hanged, which was accordingly executed."—"Narrative of the Progresse and Entertainment of the King's Most Excellent Majestie, with the Occurrents happening in the same Journey;" Nichols, i. 89. The comments on the event are chiefly by writers of a later period, but it is right to mention that one contemporary critic alludes to it. Sir John Harington says: "I hear our new king hath hanged ane man before he was tried; 'tis strangely done. Now if the wind bloweth thus, why may not a man be tried before he hath offended?" — Nugæ Antiquæ, i. 180. This is in a wailing letter, in which he says: "Here now will I rest my troubled mind, and tend my sheep like an Arcadian swain that hath lost his fair mistress; for in sooth I have lost the best and fairest love that ever shepherd knew, even my gracious queen; and sith my good mistress is gone, I shall not hastily put forth for a new master." Some said his wailing and discontent arose from the cold reception of his offers of service to the new king, although he had made his advances in the preceding winter, by sending him a New-Year's gift of a rather peculiar kind—"a dark lantern made of four metals, gold, silver, brass, and iron. The top of it was a crown of pure gold, which also did serve to cover a perfume-pan."—Ibid. Of this odd gift the editor of the Nugæ says: "This *laterna secreta* was evidently fabricated at a moment when the lamp of life grew dim in the frame of Queen Elizabeth, and she began to bear show of human infirmity." Thus sent to King James before he was the giver's king, there was a jocularity irreverently unscrupulous in the motto inscribed on the gift in the words of "the good theife," "Lord, remember me when Thou comest in Thie kingdom."—Ibid., 325, 326. These things are curious, because Sir John Harington is among the most bitter of the writers who exposed the weaknesses of the new king and his Court.

CHAPTER LXIII.

James VI.

POLITICAL CONDITIONS FOLLOWING ON THE UNION OF THE CROWNS —EFFECT OF THE REMOVAL OF THE COURT—RESORT OF THE SCOTS TO ENGLAND—HOW FAR THE COMPLAINTS ABOUT THEM JUSTIFIED—PROJECT OF INCORPORATING UNION—REPEAL OF ANTAGONISTIC LAWS — THE GREAT CASE OF THE POSTNATI, OR RIGHT OF PERSONS BORN AFTER THE UNION TO COMMON CITIZENSHIP—MORAL EFFECT OF THE DECISION—LORD BACON ON THE QUESTION — NAVIGATION RESTRICTIONS — LOCAL AFFAIRS IN SCOTLAND — THE DISCOVERIES ABOUT THE GOWRIE CONSPIRACY—REVELATIONS OF SPROT—LOGAN OF RESTALRIG.

HAVING thus seen the family to their new home, let us leave them in the hands of the historians of England, and return to Scotland.

It was only by slow degrees that the union of the crowns influenced the domestic condition of Scotland; but in the foreign relations which have heretofore held so large a share of our History, the event was an epoch. England had now at all events ceased to be the natural enemy. With the enmity of England came also to an end the friendly relations with France. The ancient league existed in the letter, but was dead in spirit. It may be said that these conditions arose in 1573, when Edinburgh Castle was gained for the regency and Queen Mary's party was extinguished.

As it happened, the old quarrels did not break forth, and the old ally was not courted; but all the elements existed, which might at any time start into life in the shape of the old troubles; and throughout the thirty intervening years all men had to stand prepared for such an event.

This condition of suspense was now at an end. No doubt Scotland was still an independent kingdom, which might have a quarrel and a war with England; but the chances of such an event had been infinitely reduced. Causes of offence were to arise, and wars were to follow; but, by a strange conjunction of causes, they were to divide each of the nations into two antagonistic bodies, instead of setting the two kingdoms at war with each other as of old. The preponderance in favour of peace lay in this, that it was difficult to suppose a case in which the king's advisers in Scotland would not act in harmony with his advisers in England. Thus, whereas of old the whole nation, with the king's Government at its head, broke out in hostility to England, such hostility would now be limited to the opposition, and the power of England would help the Government of Scotland in suppressing it.

The event did not touch the national institutions of Scotland, and thus there were none of the causes of irritation and national jealousy which troubled the promoters of the union of the Governments in 1707. We shall afterwards see that interference with national affairs did arise, and what effect it had. In the mean time, that their king had gone to rule over their "auld enemy of England" was rather a matter of pride than of mortification to the Scots. He was not

an affluent king in his own country; and the loss of the Court expenditure was a trifle felt perhaps by the traders immediately concerned, but more than compensated to the nation. To the country generally, indeed, the absence of a regal Court was a relief; for it was the absence of a household which had to be maintained by feudal exactions and virtually enforced hospitalities.

It was not as at the incorporating union, when the seat of Legislature and a great part of the Government business were transferred to London, taking with them a body of the wealthiest men in the kingdom. Such of the nobility and landed gentry of Scotland as could decently support themselves had no occasion to go to London, nor would such a movement have been consistent with their habits. It was not necessary that the town-house of a Scots lord or laird should even be in the capital of his own country. In Perth, St Andrews, Aberdeen, Elgin, and other towns, stood the winter town-homes of many of the neighbouring landowners; and the small town of Maybole, in Ayrshire, still contains, as capital of Carrick, the seemly hotels of the Kennedies, who were supreme in that old province.

Notoriously the Scots who flocked to England went to acquire, not to spend, and were the cause of more gain than loss to their country. There was much bad blood between Englishman and Scot; but it did not show itself in Scotland, for the English did not go thither. In England the Scots were well abused and scorned. One of the standing reproaches against them was their dirt. It has long been part of the social creed of the true-born Englishman, that he alone is

clean, all the rest of the world being dirty. Holland claimed the same supremacy, and with a better title, since it could rebuke England. Erasmus, speaking of the sweating sickness, pointed to the bed of rushes on the Englishman's floor, which lay rotting for years, while it received pollutions shocking to the sight and nose of the fastidious Dutchman. For a long time, no doubt, England may be counted far above the average of the European nations in physical purity of living; but travellers know that there are other communities equally repellent of filth in parts of the world where one would least expect it to be so. At the present day, Scotland, in this as in many other social matters, differs little from England, unless the traveller take his estimate of the whole country from the Western Highlands. There must, however, have been some difference in the seventeenth century to justify the proverbiality of the Scot for uncleanliness. It was imputed, whether with exact truth or not, to people of the highest rank. The Lady Clifford notes in her diary a visit to the new Court in the year of its arrival: "We all went to Tibbalds to see the king, who used my mother and my aunt very graciously; but we all saw a great change between the fashion of the Court as it was now, and that in the queen's, for we were all lowsy by sitting in Sir Thomas Erskine's chamber." [1] Weldon had visited the stream of Scottish filth at its source; and in the "Perfect Description of Scotland," which brought him into trouble, he describes it with an expressiveness that makes quotation perilous when he dwells on particulars. After such generalities as, "pride is a thing bred in their bones, and their flesh

[1] Letters, &c. (Maitland Club), 52.

naturally abhors cleanliness," and "the ointments they most frequently use amongst them are brimstone and butter for the scab," he concludes with this achievement of courtly ribaldry: "The men of old did no more wonder that the great Messias should be born in so poor a town as Bethlehem, in Judea, than I do wonder that so brave a prince as King James should be born in so stinking a town as Edinburgh, in lowsy Scotland."[1] It is possible that it may have been for this redeeming touch that its author obtained a private pension, when he was driven from his public office because he had maligned his majesty's ancient kingdom.

The other and more substantial reproach against the Scots who followed the Court was, that they were a swarm of mendicants come to feed on the wealth of England. At the Court their partial countryman on the throne was to give them all the good things. The author just quoted says: "Now also the English faction, seeing they could not sever the Scots from him, endeavoured to raise a mutiny against the Scots who were his supporters, their agents divulging everywhere the Scots would get all and beggar the kingdom. The Scots, on the other side, complained to the king they were so poor they underwent the by-word of beggarly Scots; to which the king returned this answer, as he had a very ready wit, 'Content yourselves; I will shortly make the English as beggarly as you, and so end that controversy.'"[2]

This refers to the favours of the Court; and it was quite natural that where the honours and emoluments deemed to be the peculiar harvest of the English aris-

[1] Secret History, ii. 89.

[2] Ibid., i. 370.

tocracy were given to Scotchmen, there should be murmurs. There were a few flagrant instances of Scotchmen thus offensively advanced, as Ker, Earl of Somerset, and Hay, Lord Doncaster. The few other peerages given to Scotchmen were chiefly to men who already held the rank of lord in the Estates of Parliament of their own country. But the favours of the Court were the reward of but a percentage of the Scots who flocked southward when the way was opened to them. Their great offence was that they had a turn for prospering, and all that they gained in the process was set down to the loss of England. Could there be a fitting of accounts between nations, the balance at that time would have been heavily against England, setting down on the debit side all that had been done for the impoverishment of the Scots from the destruction of their mercantile capital, Berwick, down to Somerset's invasion. But following the now-accepted doctrines of political economy, it is unnecessary to open such an account. The man who enriches himself by honest industry and enterprise does not impoverish others by the process, but makes his neighbours participators in his success. It is the immigrant who remains a pauper that is a burden to the country of his adoption, not he who prospers.

Even the pungent satirist just cited, when he comes to particulars, cannot run up a very formidable score against the hungry invaders, or entirely acquit his countrymen of participation in the plunder:—

"It is true that many Scots did get much, but not more with one hand than they spent with the other—witness the Earl of Kelly, Annandale, &c.; nay, that great getter the Earl of Carlisle also, and some private

gentlemen, as Sir Gideon Murray, John Achmouty, James Bailie, John Gib, and Barnard Lindlay, got some petty estates not worth either the naming or envying: old servants should get some moderate estates to leave to posterity.

"But these and all the Scots in general get scarce a tithe of those English getters that can be said did stick by them or their posterity. Besides, Salisbury had one trick to get the kernel, and leave the Scots but the shell, yet cast all the envy on them. He would make them buy books of fee-farms, some one hundred pounds per annum, some one hundred marks, and he would compound with them for a thousand pounds; which they were willing to embrace, because they were sure to have them pass without any control or charge; and one thousand pounds appeared, to them that never saw ten pounds before, an inexhaustible treasure. Then would Salisbury fill up this book with such prime land as should be worth ten or twenty thousand pounds, which was easy for him, being treasurer, so to do; and by this means Salisbury enriched himself infinitely, yet cast the envy on the Scots, in whose name these books appeared, and are still upon record to all posterity; though Salisbury had the money—they, poor gentlemen, but part of the wax."[1]

The Crown lands were then and long afterwards a fruitful means of jobbing, or, as it might perhaps be more correctly called, peculating. The trick here described seems to be, that when some needy Scot was favoured with a profitable investment in a holding—for which he had, however, to pay out a sum which he could ill afford—the Treasurer, who had the making of

[1] Secret History, i. 372, 373.

the bargain, and made it profitable, bought it up for a sum in cash paid down.

England was opened as a field of enterprise for the exertions of the poor Scots by the same event which shut them out of their old market in France. Among the many lampoons on the prosperous Scots, one has been preserved, which, being clever and not venomous, is really descriptive :—

> " Bonny Scot, we all witness can
> That England hath made thee a gentleman.
> Thy blue bonnet, when thou came hither,
> Could scarce keep out the wind and weather;
> But now it is turned to a hat and feather:
> Thy bonnet is blown—the devil knows whither.
>
> Thy shoes on thy feet, when thou camest from plough,
> Were made of the hide of an old Scots cow;
> But now they are turned to a rare Spanish leather,
> And decked with roses altogether.
>
> Thy sword at thy [back] was a great black blade,
> With a great basket-hilt of iron made;
> But now a long rapier doth hang by his side,
> And huffingly doth this bonny Scot ride.
> Bonny Scot, we all witness can
> That England hath made thee a gentleman."

The modern poor-law policy is to keep out of the union the stranger likely to become chargeable. There is no parish war against a settlement by persons whose career promises to be that of the " bonny Scot." And in fact England suffered no material harm by the union of the crowns, and gained the material profit of finding it no longer necessary to the honour of the English crown to subdue a country which repeated costly efforts had proved to be unsubduable.

That the Scots who migrated to England met with inhospitable sarcasm, did not disturb the equanimity of

their brethren who remained at home. The only prominent allusion to the matter is in certain proclamations of the Scottish Council, not complaining of the conduct of the English, but denouncing those Scots who went among them in such fashion as to bring their country to shame. One such document sets out with the preamble, how "the frequent and daily resort of great numbers of idle persons, men and women of base sort and condition, and without any certain trade, calling, or dependence, going from hence to Court by sea and land, is not only very unpleasant and offensive to the king's majesty, in so far as he is daily importuned with their suits and begging, and his royal Court almost filled with them, they being, in the opinion and conceit of all beholders, but idle rascals and poor miserable bodies; but with that this country is heavily disgraced, and many slanderous imputations given out against the same, as if there were no persons of good rank, comeliness, or credit within the same." One of these proclamations especially complains that some of these "idle rascals and poor miserable bodies" go to solicit the king for payment of debts incurred to them by his Court when in Scotland; which is described as "of all kinds of importunity the maist unpleasing to his majesty." The remedy is, that the owners of vessels and their skippers and mariners are not to remove passengers to England unless such as can be reported to have a lawful errand, "or are licensed by the Council."

After the accession of King James to the crown of England, the first political event in which Scotland was concerned was a project for an incorporating union of the kingdoms. On the English side it came

on with a sort of impetuous haste. The first statute of the reign being an acknowledgment of the king's right of succession, the second is "an Act authorising certain commissioners of England to treat with commissioners of Scotland for the weal of both kingdoms." It was a project of the king's own, and he alone seems to have heartily promoted it. He does not appear to have had much conception of the difficulties in front of such a project. By the union of the crowns those only who went across the Border felt the pressure of the alien institutions of their neighbours; but in an incorporating union there must of necessity be much giving and taking. This is a process difficult as between friends, but here it was to be between bitter enemies. There were those alive in Scotland who remembered when Hereford burnt Edinburgh, and left as far as the Forth a desert dirty with blood and smoke. Though they were under one king, each country held the other to be alien, and to be of all alien countries the most hated by reason of its nearness. Those parts of each which were nearest—the Borders—hated each other the most. The Statute-book of each country was filled with hostile laws against the inhabitants of the other. The attempt to carry an incorporating union at that time was, as every reader knows, unsuccessful. A hundred years later, when the old national enmities had time to be forgotten, and separate interests, with their attendant rivalries and jealousies, alone remained, even these were sufficient to make the task of incorporation a tough one. A full statement of the details of such a process is not always popular with readers, even when it has proved successful; and it would be useless to burden history with

the narrative of an unsuccessful attempt of the kind, unless it were found to contain incidents remarkable or important in themselves. We have nothing, however, but unavailing details of projects, Parliamentary conferences, minutes of the negotiations and resolutions of conferences, reports by the heads of departments, and the other rather forbidding materials which might be expected from those who are deeply engaged in the preliminaries of a great contract of partnership. It will be sufficient, perhaps, just to touch in passing one or two political features of the transaction which seem worth noting.

The negotiation went so far as the appointment of commissioners on either side, and they met for the transaction of business. The commissioners for England were chosen by the two Houses in conference, those for Scotland by the Estates. For the Union of 1707, the Parliament of each country authorised the Crown to appoint the commissioners under the great seal of each kingdom.

It was in England that King James and his supporters chiefly busied themselves about the project—Scotland was comparatively passive. It helps us to understand the tone and temper in which English statesmen discussed it, to remember that they firmly believed, though they must not publicly say, that Scotland was by law a dependence of the English crown. The proposal was distinctly treated as an unequal union. It was proposed that the new State thus formed by consolidation should be called "Great Britain." The king himself took credit for this suggestion. He was vain of it; and this feeling might have been justified could he have foreseen how great

a name it was to become in modern times. When he found himself thwarted as to the actual substance of the treaty, he tried how far he could adopt the new name by the force of the prerogative, arguing that no doubt each nation was independent of the other, but he, as king of both, was King of the Island of Great Britain, and entitled so to call and demean himself. He issued a proclamation, to the effect that "as our imperial monarchy of these two great kingdoms doth comprehend the whole island, with the dependencies and pertinents of the same, so it shall keep in all ensuing ages the united denomination of the invincible monarchy of Great Britain; and therefore, by the force of our royal prerogative, we assume to ourselves the style and title of King of Great Britain, France, and Ireland, Defender of the Faith, as our just and lawful style, to be used in all proclamations, missives, treaties, leagues, dedications, impressions, and all cases of the like nature, in time coming; discharging and discontinuing the several names of Scotland and England to be expressed in legal proceedings, instruments, and assurances of particular parties."[1] In England there was a decided objection to a new name. The proper name of the nation was old and honoured. A new empire called Britain would have no precedents to fix its position among nations, and would be dishonoured for its novelty. Such an abandonment of an old national name was unknown among States. The method by which great States brought small ones into union was conquest, and the smaller State was absorbed into and increased the power of the larger.

The real contest lay between the king and the Par-

[1] Bruce's Report, Appendix No. xiv.

liament of England. The aspect of Scotland was more that of attention than of action, as if the country waited until there was a practical call for her acceptance or refusal. So the chief manifestations of feeling there, were in retaliation of any contumely or slight cast on the country from the other side. If England had a great name, such a sacrifice was not all hers. Scotland had her own heroic reputation, and a far older nationality. On the side of England there was of course much grumbling about the admission of their poor neighbours to the affluent foreign trade. The influential alliances by which this trade was furthered were special to England, and would not belong to the newly-constructed kingdom. But Scotland, too, had her alliances with the trading communities of the north, and among these with the newly-constructed State of the United Provinces. But here there opened a consideration which was not a mere plea adapted for diplomatic fencing, but a difficulty and danger all too real—what was to become of the ancient league with France, if Scotland became one and indivisible with France's natural enemy? True, it had not of late been an active alliance offensive and defensive; but who could foretell the fate of poor Scotland left in the embraces of that powerful foe whom she had kept for centuries at a distance?

The prospect held out by a free internal trade to the two parties still alien, was of course an important point. It brought out theories that in their own day were considered full of practical wisdom, and in the present would only be referred to, like tales of sorcery and witchcraft, as instances of the boundless capacity of human folly. Scotland was poor, and on any con-

ditions would prove a shabby customer at the great wareroom of England. But the poor country had no exportable produce which could go towards balancing accounts of imports and exports. There was, therefore, this consolation, that what little the poor country did buy must be paid for in hard cash.

A common claim by the inhabitants of both countries to the public offices in both was another serious anticipation. If the emoluments of these offices were looked to as simple property, without any reference to the value of the services to be rendered in return, then no doubt England would be a loser by the transaction which admitted the Scots to hold office in England, giving as equivalent to Englishmen a due share of the wretched patronage of their country. The disparity was peculiarly conspicuous in the two Churches, since that of England possessed the bulk of the old ecclesiastical property of the secular clergy, while the wealth of the old Romish hierarchy of Scotland had gone, all but a wretched pittance, into lay hands. The English seem to have bethought them of a plan for striking off the chief prizes on their own side, so as to reduce what they gave to something near to par with what Scotland had to render in return. So in certain considerations offered by the Commons to the Lords in conference, the part relating to Church patronage contained "a reservation, a grant, and a caution." Thus: "The reservation is of all bishoprics. That no Scotsman may be a bishop, because, as bishops, they sit in Parliament, and that every bishop hath under him a place of judicature. The like reservation of masterships or headships of colleges and houses (for the universities are contained under the ecclesiastical) in both

universities, that no Scotsman be master or head of a college or house.

"The grant is, That of all other dignities, benefices, or preferments, they should be capable of one-tenth part at the most.

"The cautions were, No Scotsman shall be capable of two dignities or two benefices, or above one dignity and one benefice."[1]

The discussion on the distribution of offices touched King James somewhat keenly, as he was under suspicion of unduly favouring his countrymen in the use of his official patronage. On this point, when the project had reached the appointment of the commission, he wrote a letter to Lord Cranbourne, so fussy and full of his own complacent self-conceit, that it may be given in full as a vivid specimen of his style of correspondence and of statesmanship :—

"My little Beagle,—Now that, God be praised, this session of the commissioners hath had so happy a success, to the end that the commissioners of England, and by them the whole people of England, may discern the true difference between a crafty tyrant and a just king, I will now, after the conclusion of this point of the naturalisation, open my mind freelier therein than ever I would have done before it had been agreed upon; whereas a tyrant would but have given fair words till he had gotten his turn done, and then but have kept his promise as he had thought convenient. First, therefore, I protest, in God's presence, never Scotsman did, either directly or indirectly, make suit to me for any such preferment as is referred in your Act; and whether they ever had or not, God is my judge. I was

[1] Bruce's Report, Appendix No. xx.

ever rooted in that firm resolution, never to have placed Scotsmen in any such room till first time had begun to wear away that opinion of different nations; and secondly, that this jealous apprehension of the Union had been worn away; and thirdly, that Scotsmen had been brought up here at the foot of Gamaliel. And when all this were done, I would ever, all my life, prefer an Englishman to a Scotsman for any such place, *cæteris paribus;* and would ever wish my successors after me to do the like, as my book to my son bears witness. Nay, though I knew a Scotsman, for a miracle, that were more capable for any such place than any Englishman in England, yet shall I never be that greedy of Scotsmen's preferment as to prefer any by whom occasion might be given of the least discontentment to the people here. I am not ignorant, nor void of means enow to show my thankfulness to my subjects of Scotland, without any such preferments; and therefore, after that in my name you have given my most hearty thanks to all your fellow-commissioners for their tender and reverent regard for the preservation of my prerogative, and for the loving affection they have shown to that nation whom amongst I was born—whereof by their proceeding now they have given a most clear demonstration—let them hereby be informed that I was moved upon two regards to wish the Act to be as generally and favourably conceived as I must confess now it is. First, that in my own nature I ever love to be as little bound by any conditions as can be, and loves ever to promise fairly and perform fully; and next, that Scotland may see that I ever reserve to myself that fulness of power to bestow such degrees of favour upon them as they shall

be able from time to time to deserve. And thus having freely discharged my mind of the burthen of my thoughts in this point, I am heartily contented that not only you read this letter in the public audience of all the commissioners, but that also it be reserved in the register of your actions for a perpetual memory, as well of my honest sincerity as of my thankfulness towards you, as well for the expressing of your dutiful regard towards me as of your loving affections towards my Scottish subjects, now your countrymen. And thus I bid you heartily farewell." [1]

This project had but a languid existence. It was not until the year 1606 that it received a full discussion. Of this nothing practical came, and the project gradually dropped out of the Parliamentary proceedings of both countries; for neither of them was very anxious for the incorporation. King James felt in this affair that England was not that paradise of arbitrary power which the ways of the Court seemed to promise to him. If he had not the plots and contentions of the fierce Scots to trouble him, he had another difficulty harder to be conquered. He had come from a stage where rapid changes followed each other, and violent passions took their swing. He was now to encounter the solemn conservative spirit of English political life, where all things that moved at all went forward with solemn march, keeping as near as possible to old precedent. The passive difficulties in the way of his project fairly tired him out, while the Gunpowder Plot and other exciting events gave food for his attention.

The discussions were not entirely lost when the

[1] Bruce's Report, Appendix No. xvi.

question of a union came up at a time better fitted for completing so great a work. Every artist knows the advantage of seeing a half-finished attempt to accomplish the project he is going to begin. Many internal difficulties which could only be anticipated by men in open discussion on a practical question were minutely criticised and examined, and then lay over, for the events and discussions of a century either to find how they should be solved or to remove their causes.

It is curiously instructive to find that this same starting and examination of difficulties is almost the only practical service which those who professed to work in the furtherance and discussion of the project left to those who were to resume it in later times. The incapacity of the speculator to anticipate with any degree of exactness the shape in which projects for the regulation of mankind will actually work, is one of those humiliations of human genius which enable the plodding practical mind which knows little beyond what it sees, to laugh at the philosopher who dips into the future. The limits of the capacity of men to anticipate the absolute result of measures for the government of their species is signally shown in our own day, when an age of extreme legislative interference has been succeeded by an age of undoing what had been done. If there was an instance when the practical of the future could be unveiled, surely it was in these Union discussions, since their aridity is relieved by a noble speech of Bacon in furtherance of the measure. He had just begun his great ascent by appointment to the office of Solicitor-General. His obsequiousness to the Court

would be sufficient to induce him to aid the king's favourite measure, while his wisdom and wit would supply the reasons for supporting it. It might seem a grand opportunity for testing the power of practical anticipation, that we should have a hundred and sixty years' experience of the effect of a union before us, and should be able to compare this with the anticipations of the greatest intellect of an intellectual age—an intellect, too, in which the true and the practical were so largely dominant. But there is nothing to be got by such a comparison. The speech is conceived in the speaker's lofty and pensive eloquence. A fine spirit of liberal and tolerant thought pervades it, along with a contempt for paltry difficulties and illiberal prejudices. But the reader misses any practical grasp of the actual effect which a union is to have on the destinies of the two nations and their individual citizens. For instance, take the following: "The third objection is some inequality in the fortunes of these two nations, England and Scotland, by the commixture whereof there may ensue advantage to them and loss to us; wherein, Mr Speaker, it is well that this difference or disparity consisteth but in the external goods of fortune. For indeed it must be confessed, that for the goods of the mind and body they are *alteri nos*, or ourselves; for to do them but right, we know in their capacities and understandings they are a people ingenious, in labour industrious, in courage valiant, in body hard, active, and comely. More might be said, but in commending them we do but in effect commend ourselves, for they are of one part and continent with us; and the truth is, we are participant both of their virtues and vices.

For if they have been noted to be a people not so tractable in government, we cannot, without flattering ourselves, free ourselves altogether from that fault, being indeed incident to all martial people, as we see it evident by the example of the Romans and others; even like unto fierce horses, that though they be of better service than others, yet are they harder to guide and manage." [1]

Though this project of an incorporating union came to nought, yet the discussions opened by it suggested a concession simple in its nature, yet very effective in preparing the countries for incorporation. It was simply an undoing of what had been done in the Legislature of each kingdom to harass and injure the other —a repeal of the old laws prohibiting kindly intercourse between the inhabitants of the two countries, and in each of them fostering and encouraging such mischief as its inhabitants did on the other side of the Border. So the Parliament of England which rose in July 1607, left on record "an Act for the utter abolition of all memory of hostility and the dependence thereof between England and Scotland, and for the repressing of occasions of disorders and disorders for time to come." [2] In the ensuing August, Scotland reciprocated, in an Act alike in substance, though it was merely called "An Act anent the Union of Scotland and England." It repealed a significant list of Acts for the accomplishment of such purposes as these:

[1] Bruce's Report, Appendix No. xviii. Harington, writing to Secretary Barlow, says: "I heard the uniting the kingdoms is now at hand. When the Parliament is held more will be done in this matter. Bacon is to manage all the affair, as who can better do these State jobs?"—Nugæ Antiquæ, i. 353.

[2] 4 James I. c. i.

"All persons remaining in England without the king's licence commits treason.

"Assurance with Englishmen, or taking from them protection for land or goods, is treason.

"That na Englishman come to Scotland without conduct, and that na Scotsman sit under assurance of them."

The latest on the list was but six years old. Its object was, as for the abatement of a nuisance, to restrain the marriage of Scottish subjects "upon the daughters of the broken men and thieves of England." Scots committing injury in England were no longer to be held as doing acceptable service, but might be punished. The law could not be as it now is, that when a crime was committed in any place, the officers of justice could pursue the perpetrator through any part of the United Kingdom, and bring him back to the spot for trial. But if a Scot committed an offence in England, the sufferer could prosecute the offender before the Scottish tribunals. He might come to them, and bring his witnesses; and that there might be no molestation from invidious counter-charges, he and his witnesses were not to be, during the course of the suit, amenable in Scotland for any acts previously done by them, unless these amounted to murder or treason. There were some relaxations of trade rules, in which Scotland abandoned any invidious advantages in the wine trade with France. As an exception to the laws for the prohibition of foreign imports, goods, the actual produce or manufacture of either country, might be carried into the other. Facilities for the use of the shipping of both countries were given for whatever commerce was lawful between them; and of these facilities it may

be said, that they removed for the time such invidious restraints as had in the earlier law anticipated the restrictive English navigation Acts of later times. This is, as we shall afterwards see when we come to the working of these later Acts, an important element in the political history of the two nations. This Act abolished that complicated code, so precarious in its practical working, known as the Border laws. They were an attempt, so far, to modify the hostile laws of the two countries, as to render it practicable that life and property could exist on either side in the neighbourhood of the marches; and after the repeal of the old hostile laws they were no longer necessary.

But a judgment on a point of the common law of England did more than all the labours of the king, the Court, and the two Parliaments, to make the English and the Scots one people. This was the celebrated case of "the *postnati*," in which it was decided that all persons born in Scotland after the union of the crowns in 1603 were entitled in England to all the privileges of Englishmen. So momentous was the question, that had the judgment been other than it was, the most substantial power influencing the Union of a century later had been wanting; and without some equivalent force arising in some unknown place and shape, England and Scotland would not have become one empire.

The suit ramified itself into various shapes, both at common law and Chancery. The final judgment was delivered by Lord Chancellor Ellesmere in the Court of the Exchequer Chamber. It had the support of ten out of the twelve judges.[1] Though the interests at

[1] The duality of the minority is quaintly but very distinctly told by

stake were so vast, and the earnestness and solemnity of the deliberations were adapted to the occasion, yet, like many a great public cause, it arose in a question about a petty right of freehold which found its way into the King's Bench, and a question about the recovery of title-deeds, which was a Chancery matter. The suit was raised in the name of Robert Calvin or Colville, a child three years old. It opened with a writ to the Sheriff of Middlesex, showing how "Robert Calvin, gent., hath complained to us that Richard Smith and Nicholas Smith unjustly, and without judgment, have disseized him of his freehold in Haggard, otherwise Haggerton, otherwise Aggerston, in the parish of St Leonards, in Shoreditch." On the other part, "the said Richard and Nicholas, by William Edwards their attorney, come and say that the said Robert is an alien, born on the 5th day of November, in the third year of the reign of the king that now is of England, France, and Ireland, and of Scotland the thirtieth, at Edinburgh, within his kingdom of Scotland aforesaid, and within the allegiance of the king of the said kingdom of Scotland, and out of the allegiance of the said lord the king of his kingdom of England." Through a succession of such technicalities the case marched forward. But in their technical use of precedents the common lawyers could not in such a case avoid large questions. These precedents applied to Wales, Ireland, the Isle of Man, England itself before the Conquest, Berwick-upon-Tweed since it had been taken from Scotland, the Scottish Border districts

Lord Ellesmere: "I heard many learned and judicious arguments made by the reverend judges; and finding that they did not all concur in opinion, though the number was indeed so few of them that differed, that in Greek it would not make a plural number," &c.—State Trials, ii. 659.

while they were in the possession of England, the original foreign territories of the Norman conquerors — still represented by the Channel Islands — the French territories of the Plantagenets, and Calais and other parts of France, which had come to England not by undisputed inheritance but by conquest.

This was the first great public discussion of Scots affairs in England in which the feudal dependency of Scotland on the English crown neither openly came up nor secretly influenced the conduct of those concerned. It was not pleaded, and therefore to the judges it did not exist. It may be noted that it would have fallen to the side of the Scots to plead it, as showing that they existed in the allegiance of the King of England, a plea which Edward I. would readily have accepted; whether it would have been pleaded, had it served the other side, is among the uncertainties about which every one may make his own guess.

It was, in fact, the position of Scotland as an independent sovereignty, that created all the difficulty, by neutralising precedents applicable to places held to be more or less in dependence on the crown of England. Hence against the claim for the Scots it was pleaded, "that the great seal of England, which is the organ by which the law is conveyed, is not powerful nor binding in Scotland; therefore those born in Scotland not inheritable to the laws of England, nor to be born subjects of England, when they cannot be commanded by the great seal of England. *Reason*, That in subordinate kingdoms, dukedoms, or seigniories—as Ireland, Gascoign, Aquitain, Anjois—the great seal of England is passable, and the Parliament of England hath power; as is proved by that a writ of error may be brought

in the King's Bench of a judgment in Ireland, and the Parliament of England may make a statute to bind in Ireland if Ireland be specially named." "The case is not like between England and these kingdoms and dukedoms subordinate to England, as it is between England and Scotland—Scotland being a distinct kingdom not subordinate, and as ancient as England itself." [1]

Bacon spoke as counsel on the Scots side with his usual lofty composure and fertility of learned illustration. But it was one of the occasions in which he lent these powers to the furtherance of those encroachments of the prerogative which were to have results so disastrous. King James, as we have seen, had issued a proclamation making the two kingdoms one. Following up this act of prerogative, his new solicitor said: "In all the distributions of persons, and the degrees of abilities or capacities, the king's act is all in all without any manner of respect to law or Parliament. For it is the king that makes an alien enemy by proclaiming war, wherewith the law or Parliament intermeddles not. So the king only grants safe-conducts, wherewith the law and Parliament intermeddle not. It is the king that makes a denizen by his charter absolutely of his prerogative and power, wherewith law and Parliament intermeddle not. And therefore it is strongly to be inferred, that as all these degrees depend wholly upon the king's act, and no way on law and Parliament, so the fourth, although it comes not by the king's patent but by operation of law, yet that the law in that operation respecteth only the king's person, without respect to subjection to law or Parliament." [2]

[1] State Trials, ii. 567, 563.

[2] Ibid., 583.

The question was not decided on the ground that it lay within the king's prerogative; nor did it rest on any principle of enlightened international policy. It rested on what may be called a technicality in pleading. Of that technicality Bacon himself gives the substance, with his own peculiar conciseness and clearness, thus: "For forms of pleading, it is true that hath been said, that if a man would plead another to be an alien, he must not only set forth negatively and primatively that he was born out of the obedience of our sovereign lord the king, but affirmatively, under the obedience of a foreign king or State in particular, —which never could be done in this case."[1]

Those sages of the common law who by degrees and in the course of ages had adjusted this technicality in pleading, had probably little anticipation of the wide purpose for which it might be used. But it was in itself a technicality involving a sound principle of justice and safety. That a man was an alien not entitled to the privileges of an Englishman, was a vague saying, and vagueness leaves room for oppression and injustice. That he actually owed allegiance elsewhere, pointed to a fact which, if it were proved, was conclusive.

Besides the beneficent character of the decision itself, the method by which it was reached was well fitted to have a wholesome influence on the sensitive and suspicious Scots. It was a remarkable instance of that precision in separating the law from the facts and general conditions of the litigation itself, which had become so decisive a feature in the English administration of justice, and was so woefully wanting in

[1] Bruce's Report, Appendix No. cxvii.

the Scots, that it is scarcely yet achieved. The law must stand as it is found, whatever may be the result, and whoever may be affected by that result. The English laws might be good or they might be bad, but the new partners of England had an assurance that they would be justly administered in questions between them and their powerful associates.[1]

The reciprocity of the principle of this case on the side of Scotland was a question rather of courtesy than of importance to the inhabitants of England. It was in 1608 that the case was decided in England. Either, however, with the purpose of furthering such a decision, or under some policy not immediately apparent, it happens that in the Act for the repeal of the laws hostile to England passed by the Estates in 1607, there is a clause extending the right of Scottish citizenship to the *postnati* of England.

When we look at the Acts for the repeal of the old hostile laws on either side, to the decision in favour of the *postnati*, and to a lord high commissioner representing the king in the Estates and the Secret Council,—we shall see all the visible changes that came immediately to Scotland through the succession of the Stewarts to the throne of England. The event strengthened the Crown in Scotland; but the increase of strength came stealthily and imperceptibly, like a natural growth, and made little disturbance. It was in the Church that the King of Scotland's newly-acquired power was to exert itself to greatest purpose, and hence it is that for some time we shall find ecclesiastical discussions absorbing the whole public and historic life of Scotland.

[1] There is a very full report of the case of the *postnati* in the State Trials, ii. 459 *et seq.*

Before entering on this contest it may be proper to note an incident which was propitious to the king's reputation and influence, by silencing those, who denied the existence of the Gowrie Conspiracy and sought to put in its place a succession of machinations by the king and his creatures for the ruin of that family. We have seen that just five persons were concerned in the plot—the Earl of Gowrie, his brother, Logan of Restalrig, a dependent of his called Laird Bower, and a person still unknown, who must have been a man of note, since he was addressed as "right honourable sir." But the world knew nothing about the participation of three among these five until some years after the king had left Scotland; and the affair was shrouded in the suspicious mystery that not the faintest trace of it could be carried beyond the two brothers, who had both been slain.

A certain George Sprot or Sprote transacted business as a notary in Eyemouth, a seaport town on the Berwickshire coast which had risen to importance before the Union as the chief port of the south-eastern part of Scotland. He had managed professional affairs for Robert Logan of Restalrig, who had died in 1602. Of this Sprot it came to be rumoured, that in unguarded moments he muttered some things importing that he possessed the key that could unlock the great mystery, and could put his hand upon it at any time among his professional papers. It is a common propensity for people of heated imaginations to offer confessions or revelations about some great crime on which the public mind is brooding. In this instance, Sir Thomas Hamilton, the Lord Advocate, a sagacious man, who possibly may have had separate

reasons for thinking there might be a foundation for Sprot's hints, thought the affair sufficiently serious for inquiry. Sprot at first denied all knowledge of the affair; but having been "booted," or subjected to the torture of the boots, he confessed that he knew about the hatching of the plot, and revealed the documents, which have been already cited as affording so clear an account of the arrangements of the conspirators. It seems that he had been at Fast Castle on private business. There, that faithful subordinate Laird Bower got Sprot to read some of the documents to him, being, as it appears, himself unable to read. Sprot took advantage of an opportunity to purloin part of the correspondence, and thus to be the possessor of matter very perilous to his own safety. Both Logan and Bower had died two years before these revelations, and, as Archbishop Abbot said, "departed unto far greater torment than all the earth could lay upon them." The only living victim, therefore, who could now be sacrificed, was Sprot himself. It is said in a contemporary narrative, that he "cleared many things to the Council, and caused sundry men of rank to be suspected."[1] There is no trace of such revelations in the official documents as they are preserved; and, oddly enough, they bear no mark of any attempt to trace the right honourable gentleman who is the unknown among the five conspirators.

Sprot was condemned to death in the savage form usual in convictions for treason. His execution was witnessed by George Abbot, afterwards Archbishop of Canterbury, who preserved an account of it. The opportunity was a good one for finding favour with

[1] Pitcairn, ii. 275.

the king in an honest and legitimate form, by showing how, "after so many years, and that from the bones of a dead man, when living men would not believe it, God hath given farther light to the opening of the conspiracy of that ungodly Earl of Gowrie, which some persons, affected more to a rebel that is dead than to their living sovereign, did endeavour to disguise and mask at their own pleasure." According to other accounts, as well as Abbot's, the victim was profusely penitent and pious. He fell on his knees, and "in a prayer to God, uttered aloud, he so passionately deplored his former wickedness, but especially that sin of his for which he was to die, that a man may justly say he did in a sort deject and cast down himself to the gates of hell, as if he should there have been swallowed up in the gulf of desperation; yet presently laying hold upon the mercies of God in Christ, he raised himself, and strangely lifted up his soul unto the throne of grace, applying joy and comfort to his own heart so effectually as cannot well be described. In the admitting of this consolation into his inward man, he burst out into tears, so plentifully flowing from him that for a time they stopped his voice; the sight and hearing whereof wrought so forcible an impression in those persons of honour and learned men who beheld him, that there was scant any one of them who could refrain tears in the place, as divers of themselves that day did witness to me." His manner of "laying hold upon the mercies of God in Christ" was one of those curious instances in which an excess of religious fervency appears to drive out of the zealot's mind all sense of awe and veneration, and to set him to argue or bargain with the Almighty as man to man:

"At last he proceeded, 'Yet, most merciful Father,' whereat he made a story, and repeating the word 'Father' with a marvellous loud and shrill voice, he added: 'Why should I call Thee Father, that have so many ways and so horribly transgressed the commandments in all the course of my life, but especially in concealing this vile, fearful, and devilish treason against my most gracious sovereign? Lord, Lord, there is nothing belongeth to me but wrath and confusion.' And so went on in a strange unaffected current of words, lively expressing the sorrow of his heart. Yet there he stayed not, but spake forward to this purpose: 'Notwithstanding, Lord, Thou hast left me this comfort in Thy Word, that Thou hast said, Come unto me, all ye who are weary and laden, and I will refresh you. Lord, I am weary; Lord, I am heavily laden with my sins, which are innumerable. I am ready to sink, Lord, even to hell, without Thou in Thy mercy put too Thy hand and deliver me. Lord, Thou hast promised by Thine own word out of "Thine own mouth, that Thou wilt refresh the weary soul."' And with that he thrust out one of his hands, and reaching as high as he could, with a louder voice and a strained, cried, 'I challenge Thee, Lord, by that word, and by that promise which Thou hast made, that Thou perform and make it good to me that call for ease and mercy at Thy hands.'"

In the depths of his penitence he said "that God had kept him since that attempt of the Earl of Gowrie's from very many dangers; but notedly from one, when, being in apparent hazard from drowning, he was strangely delivered, 'which,' said he, 'was God's work, that I might remain alive until this happy and blessed

day, that the truth might be made known. And now I confess my fault, to the shame of myself and the shame of the devil, but to the glory of God; and I do it neither for fear of death or for any hope of life—for I have deserved to die, and am unworthy to live—but because it is the truth which I shall seal with my blood. My fault,' saith he, 'is so great, that if I had a thousand lives, and could die ten thousand deaths, yet I might not make satisfaction that I should conceal such a treason against so gracious a king.'" It was a pleasant piece of good fortune to Abbot to have to carry home these acceptable sayings to his master. Yet he was not so successful a competitor among the servile crew as to be exempt from royal frowns, which humiliated him in his old age.

His account of the whole scene ends rather picturesquely, thus: "These things were done in the open sight of the sun, in the king's capital town, at the market-cross in Edinburgh, in the presence of divers thousands of all Scots—of the nobility, of the clergy, of the gentry, of the burgesses, of women and children—myself, with the rest of the English ministers, standing by and looking on, and giving God the glory that after so long a space as eight years and eight days—for so it was by just computation after the attempt of Gowrie—He was pleased to give so noble a testimony unto that which by some maligners had been secretly called in question without any ground or reason."[1]

We have seen the story revealed by the documents thus discovered. As the newly-exposed traitor had

[1] "The Examination, Arraignment, and Conviction of George Sprot, Notary at Eyemouth, &c. Before which treatise is prefixed also a preface, written by G. Abbot, Doctor of Divinity, and Dean of Winchester, who was present at the said Sprot's execution." Reprinted, Pitcairn, ii. 262.

been seven years in his grave, the ceremony, deemed so revolting and barbarous, was repeated; and his bones were taken from the earth and laid down before the High Court of Parliament, while they adjudged the man whose parts they were in the life to have been a traitor. Barbarous as this practice was, it came of an excess of the old Saxon spirit, that no judicial work was to be done in darkness or uncertainty. Though the actual traitor had gone to his account, there were persons whose interests were still at stake in the judicial proceedings—the descendants who would be involved in the forfeiture of the estates. It was contrary to the old spirit of the law, that on some vague statement of a man having committed crimes, and being no longer alive to answer for them, the rights of survivors should be imperilled. In proof that the man was dead, there was his body as newly slain, or his bones as they were found in the family burying-place.[1]

There was now another forfeiture, and of a goodly territory. It was an instance where the law of forfeiture took one of its hardest aspects, stripping an unconscious young man, who was acquitted of all concern in his father's crime, of the estates in his peaceful possession. There is much to be said for the forfeiture of family estates for political crimes in times when

[1] There have been efforts to trace this practice in other countries, but without much distinct result. It is said by one of the oldest authorities on Scots criminal law, Sir George Mackenzie: "Albeit the bones of the defunct traitor are ordinarily taken up and brought to the pannel, in pursuits of this nature, as was done in the forefaulture of the Laird of Restalrig, yet this is not necessary." On this Lord Hailes, who is rarely facetious, remarks: "He is certainly in the right, for the bones of a traitor can neither plead defences nor cross-question witnesses; and upon this matter there is no difference whether the accused person be absent in body or present in bones."—Pitcairn, ii. 277.

territorial power was everything, and descendants inherited the quarrels of their ancestors. The efforts frequently made to secure the estate elsewhere, while he in whose hands it would otherwise be found is free to take some desperate course, are of themselves sufficient testimony that the power of forfeiture gives a hold on men's conduct which the governments of the day could not be expected to abandon. No doubt the right of forfeiture was often invidiously and cruelly used in Scotland; but the forfeitures in Scotland depended on the actions of the men who incurred them, and were not that absolute death of the right of inheritance which was the essence of the English "corruption of blood"—that rule which, in the words of its propounders, "dams up and renders utterly impervious" any right of succession through a condemned traitor. In Scotland the forfeiture affected the property of the criminal, and consequently the succession to it of his children and other representatives; but it did not, as the English system virtually did, forfeit property which he never had possessed. How this might come by the "corruption of blood" may be shown in the following simple instance. Take three brothers: the eldest succeeds to the family estate, but is childless; the second, who is also childless, is attainted for treason; the third has a son, who in the ordinary course of events would be heir to the family estate. But, in the theory of the law, because his father represented his immediate elder brother, and that brother is not representable, the corruption of his blood stops the genealogical course of descent; and no estate from any ancestor, if that second brother would have succeeded to it had it come to the family in his lifetime, could ever pass to any descendant of his younger brother.

CHAPTER LXIV.

Ecclesiastical Affairs.

MILLENARY PETITION — HAMPTON COURT CONFERENCE — KING JAMES'S RETALIATION ON HIS PRESBYTERIAN TORMENTORS — ADULATION OF THE ENGLISH CLERGY—HOW THE KING TOOK IT —STEPS TO AN AUTHORISED VERSION OF THE BIBLE—EFFECT OF THE CONFERENCE IN SCOTLAND—THE "POPES OF EDINBURGH"—CONTEST OF THE CLERGY AND THE CROWN—ASSEMBLY AT ABERDEEN — THE SOUTH AND THE NORTH — THE KING'S LETTER—TRIAL OF WELSH AND HIS BRETHREN—ANDREW MELVILLE AND HIS BRETHREN DRAWN TO LONDON—THEIR TREATMENT THERE — DEATH AND CHARACTER OF MELVILLE — REMODELLING OF THE CHURCH—RESTORATION OF EPISCOPACY— THE REVENUES OF THE OLD CHURCH—FUTILE ATTEMPTS TO GET THEM—A FEW PARTICULARS OF THE ATTEMPTS TO OBTAIN THEM, AND THE WAY THESE WERE DEFEATED — COMPLAINTS AND MISERIES OF THE BISHOPS.

WE may now part with secular politics for a time, and follow the course of some ecclesiastical quarrels which were destined to lead on to memorable issues. The strife started in the celebrated Hampton Court conference. This belongs immediately to English history. Its concern with Scotland was indirect; yet it was momentous, as those events in which a community see in the fate of a neighbour what is in preparation for themselves. The direct issues were of small moment even in England. Among the historical

events of the time, the conference stands like a dwindled mimicry of the great colloquy of Poisy held fifty years earlier. In the English meeting there was no such deep gulf between the two opponents. The ruling party did not look across at fierce and powerful leaders able to bring out a force which might match their own, but received a deputation of a few of their own brethren meekly suing for some relief to tender consciences. As a further difference, no leader was absent from Hampton Court because he dreaded assassination.

The opposition were called the Millenary party, because there had been presented to the king on his way to Court a petition said to be signed by a thousand clergy, and they were present to support its prayer. It is questioned whether it had quite a thousand signatures; but it is of consequence to remember that those who signed were not separatists or dissenters, but clergymen of the Church of England who felt themselves "groaning as under a common burden of human rites and ceremonies."[1] Coming

[1] Fuller, in his quaint way, says: "This was called the millenary petition, as one of a thousand, though indeed there were but seven hundred and fifty preachers' hands set thereunto; but those all collected only out of five-and-twenty counties. However, for the more rotundity of the number and grace of the matter, it passeth for a full thousand, which no doubt the collectors of the names, if so minded, might easily have completed. I dare not guess what made them desist before their number was completed—whether they thought that these were enough to do the deed, and more were rather for ostentation than use, or because, disheartened by the intervening of the Hampton Court conference, they thought that there were even too many to petition for a denial. It is left as yet uncertain whether this conference was by the king's favour graciously tendered, or by the mediation of the lords of his Council powerfully procured, or by the bishops as confident of their cause voluntarily professed, or by the ministers' importunity effectually obtained." —Church History, ii. 7.

after the great Reformation conflicts, and even in comparison with the wide quarrel between the Huguenot party in Scotland and their Prelatic rivals, the demands are small, reaching nothing like a Presbyterian polity, or spiritual independence and "the headship of Christ."

Some of the grievances were of a technical character connected with the practice of ecclesiastical courts, and others, relating to the bestowal of benefices, had reference rather to matters of secular justice and expediency than to vital questions of ecclesiastical policy. Of those which are recognisable as points of difference among Christian denominations, the most important were: "That the cross in baptism, interrogatories ministered to infants, confirmations—as superfluous, may be taken away." "The cap and surplice not urged. That examination may go before the communion. That it be ministered with a sermon. That divers terms of 'priests' and 'absolution,' and some other used, with the ring in marriage and other suchlike in the book, may be corrected. The longsomeness of service abridged. Church songs and music moderated to better edification. That the Lord's Day be not profaned; the rest upon holidays not so strictly urged."[1]

Looking at the limited nature of these demands, it is difficult to join in the censure directed on the narrowness of the concessions made, or the character of the assembly which disposed of the matter. There was no call for a great council in which two parties were to fight a battle, pitting their best champions against each other. It was a petition for certain modifications; and the petition came before the pre-

[1] Fuller, x. 22.

lates as heads of the Church, while a deputation from the petitioners attended to support it. Whoever else might be either pleased or displeased, the whole affair inspired the king with lively delight. It gave him an opportunity of displaying two of his cherished accomplishments — classic scholarship and polemics. He would have a little buffoonery too; and as it was a king who took that liberty with them, the grave and reverend seigneurs felt it their duty to endure it. But sweetest of all the enjoyments of the occasion was the sense of safety from his old ecclesiastical harassers, accompanied by an opportunity of retaliation. Throughout his squabbles with the High-Church Presbyterians, he had made occasional efforts in his own clumsy way to propitiate them. One of these which has often been referred to stands thus in Calderwood's History, which is the one testimony to it. The occasion of its delivery was a General Assembly held in October 1590, when the high party were at the summit of their power, and the king, after his marriage and his adventurous journey, was in a condition of high geniality:—

"In end, to please the Assembly, he fell forth in praising God that he was born in such a time as the time of the light of the Gospel, to such a place as to be king in such a Kirk—the sincerest Kirk in the world. 'The Kirk of Geneva,' said he, 'keepeth Pasche and Youle; what have they for them?—they have no institution. As for our neighbour Kirk in England, it is an evil-said mass in English, wanting nothing but the liftings. I charge you, my good people—ministers, doctors, nobles, gentlemen, and barons—to stand to your purity, and exhort the people to do the same;

and I, forsooth, so long as I bruik my life and crown, shall maintain the same against all deadly,'" &c.[1]

They to whom such morsels of flattery were flung, were apt to receive them as the watchdog, following his honest instincts, receives the blandishments of the suspected intruder. The king, however, no longer required to propitiate his tormentors. He was beyond their reach; and he had no sooner seated himself in safety than he discharged an arrow at them. The very suddenness of the retaliation assigned it to premeditation rather than impetuosity, since it showed a deliberate design to seize the earliest opportunity for avenging old insults. We are told how the condition in which he found the Church of his new dominion "so affected his royal heart, that it pleased him both to enter into a gratulation to Almighty God (at which words he put off his hat) for bringing him into the promised land, where religion was purely professed, where he sat among grave, learned, and reverend men; not as before elsewhere, a king without state, without honour, without order, where beardless boys would brave him to his face." When the millenaries, or plaintiffs, as they are called, had come to the question of the absolute injunction of the cross in baptism, desiring that it might be left to conscience, the king

[1] Calderwood's History, v. 105, 106. Like many other transactions in the civil as well as the ecclesiastical history of that period in Scotland, this speech, thoroughly characteristic as it is, seems to rest on the sole authority of the collections made by the industrious Calderwood. It is not given by Spottiswood, who gives an account of the Assembly (p. 382). It was not one of the passages which the archbishop would think especially worthy of commemoration. It happens, however, that James Melville, who was present, says nothing about the king's speech, while he gives at much length his own address as the retiring moderator (Diary, 280).

broke in with some petulancies, among which he said, "that it smelled very rankly of Anabaptism, comparing it to the usage of a beardless boy—one Mr John Black—who, the last controversy his majesty had with the ministers of Scotland, December 1602, told him that he would hold conformity with his majesty's ordinances for matter of doctrine; but for matter of ceremony, they were to be left in Christian liberty to every man, as he received more and more light from the illumination of God's Spirit—'even till they go mad,' quoth the king, 'with their own light. But I will none of that; I will have one doctrine and one discipline, one religion in substance and in ceremony.'"[1]

But the king had an opportunity for a still more brilliant denunciation of his old tormentors. Though it has been often repeated, it is necessary to make room for it here; and to make its full purpose intelligible, it must be preceded by the provocation, which arose in some words unconsciously used by the pious,

[1] Here we must take Dr Barlow, not as a minute reporter of what was said, but as expressing the points in the king's speech which struck himself and his brother clergy as having an important reference to the relations between the new sovereign and their Church. The beardless boy, John Black, is not to be found among the Scottish ecclesiastical celebrities of the day; and there appears to have been no other conference of the king with the Scots clergy in 1602, except that with Bruce about the Gowrie Conspiracy. We have seen how a David Black gained renown by his "Declinatour," but this was in 1596. He died in 1603, when he was probably in middle age, as we find James Melville calling him, in 1591, "a man mighty in doctrine, and of singular fidelity and diligence in the ministry" (Diary, 293). We thus unfortunately lose trace of the identity of the "beardless"—singular or plural—who had so disturbed the king's equanimity that he was driven to refer to the affair more than once, on occasions that, if they were not solemn, should have been so. It need scarcely be noted, perhaps, that no Scots clergyman he may have had a dispute with would have engaged to "hold conformity with his majesty's ordinances for matter of doctrine."

learned, and peaceable Reynolds. He suggested "that, according to certain provincial constitutions, they of the clergy might have meetings once every three weeks: first, in rural deaneries, and therein to have prophesying [viz., preaching], according as the reverend father, Archbishop Grindal, and other bishops desired of her late majesty; secondly, that such things as could not be resolved upon there, might be referred to archdeacons' visitation; and so, thirdly, from them to the Episcopal synod, where the bishop with his presbytery should determine all such points as before could not be determined."

Here the words synod and presbytery, assailing the royal ear, opened up the fountain of all his griefs, and enough is said about the keeping of his temper to show that he lost it:—

"His majesty was somewhat stirred—yet, which is admirable in him, without passion or show thereof—thinking that they aimed at a Scottish presbytery, 'which,' saith he, 'as well agreeth with a monarchy as God and the devil. Then Jack and Tom and Will and Dick shall meet, and at their pleasure censure me and my Council, and all our proceedings. Then Will shall stand up and say it must be thus; and therefore here I must once reiterate my former speech, *Le roy s'avisera.* Stay, I pray you, for one seven year before you demand that of me; and if then you find me pursy and fat, and my windpipes stuffed, I will perhaps hearken to you. For let that government be once up, I am sure I shall be kept in breath.'"

These specimens may suffice to show how far removed this lively assemblage was from the solemn gravity which makes the minutes of ecclesiastical

councils very arid reading to those who take no more than a historical interest in them.

Yet once again he came back upon his tormentors in Scotland. The question was, how long some of the clergy might have to declare whether they would conform to the surplice and the cross in baptism; and he accûsed them of preferring "the credits of a few private men before the general peace of the Church;" saying further: "This is just the Scottish argument; for when anything was there concluded which disliked some humours, the only reason why they would not obey was, it stood not with their credits to yield, having so long time been of the contrary opinion."

There was one point on which the king was suspicious about the views of the millenarians. He did not feel a comfortable assurance that they thoroughly acknowledged his ecclesiastical supremacy. Reynolds, to whom he specially appealed, admitted it in a brief dry way. The king told them an anecdote—not quite accurate—to the effect that Knox and his followers were ready to acknowledge the supremacy of his grandmother, Mary of Guise, until they felt themselves strong enough to do without it. Then applying the precedent, he said: "My lords the bishops, I may thank you that these men do thus plead for my supremacy. They think they cannot make their party good against you but by appealing unto it, as if you, or some that adhere unto you, were not well affected towards it. But if once you were out, and they in place, I know what would become of my supremacy. No bishop, no king, as before I said." The end of this tirade was, "I shall make them conform themselves, or I will harry them out of this land, or yet do worse." This conclusion

was infinitely gratifying, and, as the recorder of the conference says, "raised such an admiration in the lords in respect of the king's singular readiness and exact knowledge, that one of them said he was fully persuaded his majesty spake by the instinct of the Spirit of God." We are not told whether it was a spiritual or a temporal lord who thus spoke. There follows a chorus of applause to the same tenor. It comes rather grotesquely, in a discussion of the functions of ecclesiastical courts, after some hardly-quotable remarks about the practice in Scotland of requiring those whose names were subject to scandal—female as well as male—to appear in the "cutty stool" or place of shame. The king's remarks were sagacious, and would have done credit to a bailie of a burgh or a ruling elder. But the effect on his audience was that "the Archbishop of Canterbury said that undoubtedly his majesty spake by the special assistance of God's Spirit. The Bishop of London upon his knee protested that his heart melted within him—so, as he doubted not, did the hearts of the whole congregation —with joy, and made haste to acknowledge unto Almighty God the singular mercy we have received of His hands in giving us such a king, as since Christ's time the like he thought had not been; whereunto the lords with one voice did yield a very affectionate acclamation." In all this there was a fascinating contrast to those assemblies where Andrew Melville would shake him by the sleeve, and hurl a contemptuous epithet against him. The narrator of these scenes was William Barlow, Dean of Chester, who immediately afterwards became Bishop of Rochester. This is material to their significance, since they are recorded

by one who might be counted on not to repeat anything that he thought indecorous or unworthy. We may believe, then, that the grotesque features of the scene were rather subdued than exaggerated.[1] That dignitaries of the Church should combine in performing such scenes, and revealing them to the world, has naturally been heavily censured by the High Presbyterian Church party, whose drolleries, when they indulged in any, were of a totally different kind. But the exhibition was only too natural. A belief in the divine right of kings was becoming a prevalent doctrine among English Churchmen; and they were not inclined too fastidiously to criticise the announcement of their own favourite doctrine by one who was so evidently inclined to use it for their own exaltation and the depression of their enemies.[2]

It is amusing, as a feature of the times, to find that

[1] See "The Sum and Substance of the Conference which it pleased his Excellent Majesty to have with the Lords Bishops and others of his Clergy—at which most of the Lords of the Council were present—in his Majesty's Privy Chamber at Hampton Court, Jan. 14, 1603. Contracted by William Barlow, Doctor of Divinity and Dean of Chester." This is reprinted in the 'Phœnix' and the 'Concilia.'

[2] It was possible for divine-right theories to take too high a flight for King James's taste—that is to say, a flight beyond their one legitimate object, which was to keep him firmly seated on his united throne. It was convenient that he should be in alliance with the newly-established Dutch Republic; but at a meeting called Overall's Convention, there were some whispers against the encouragement of revolters, with suggestions that the King of Spain, if not king there *de facto*, was king *de jure*. King James saw in such a doctrine the possibility of some *de jure* spectre coming forth from the darkness and pushing him from his *de facto* stool, and sitting there — perhaps the King of Spain himself, founding on the Lancaster connection, old treaties, or Papal rights. He wrote an angry letter to George Abbot on the point, saying, "I am the next heir, and the crown is mine by all rights you can name but that of conquest;" and, "If the King of Spain shall return to claim his old pontifical right in my kingdom, you leave me to seek for others to fight for it; for you tell us upon the matter beforehand his authority is God's

one of the burdens from which tender consciences sought relief was the insufficiency of the law to suppress the circulation of books offensive to their taste and opinions. The gentle Reynolds pleaded that "unlawful and seditious books might be suppressed—at least restrained, and imparted to a few; for by the liberty of publishing such books so commonly, many young scholars and unsettled minds in both universities, and through the whole realm, were corrupted and perverted."

It would be wrong to leave the conference of Hampton Court at this point, and without allusion to one noble vestige which its counsel left on the annals of the age. It was here that the project for printing the English Bible in the still "authorised version" came into palpable existence. It was a matter in which Scotland was not technically concerned, since its official adoption and authorisation applied only to England—and, as we shall see, the Scottish Presbyterians repudiated a standard translation. But it was in Scotland that the authorised version received in the end the warmest welcome. It became the absolute standard in some respects of literature as well as of religion. Many read no other book; and throughout the Protestant community all who professed a decorous walk in life counted it the court of absolute and last appeal from all other literature. There was some critical cavilling about mistranslations found in existing versions, as to which the Bishop of London made the remark, that "if every man's humour should be followed, there

authority if he prevail." This letter is in Welwood's Memoirs, p. 38. The editors of the 'Concilia' have acknowledged its authenticity by receiving it into their collection.

would be no end of translation." To this the king threw in a conclusion, expressed with a brevity and felicity far from his wont: "His majesty wished that some special pains should be taken in that behalf for one uniform translation, professing that he could never yet see a Bible well translated into English."

It has been said of King James, that if he stumbled on some really noble project, his perverse taste would overcome him in the way of performing it. When he came to particular defects in existing translations, he denounced that of Geneva because the rubrics or marginal titles seemed to point at doctrines not quite in accordance with his own divine right as king.[1]

There was present at the conference, as a listener and spectator, a Scots minister named Patrick Galloway. His presence was, it seems, desired by the king. As no other motive can be found for bringing him up, we are left to suppose that he was to tell his brethren all that he saw and heard, as a wholesome warning to them. The affair, indeed, must have proved to the High-Church Presbyterians that they were entering on a contest which would tax all their strength —and of that they had indeed very little. The autho-

[1] "Some notes, very partial, untrue, seditious, and savouring too much of dangerous and traitorous conceits—as, for example, Exodus i. 19, where the marginal note alloweth disobedience to kings; and Chronicles xx. 16, the note taxeth Asa for deposing his mother only, and not killing her." Principal Lee questions the accuracy of this part of Barlow's narrative, chiefly because "it is not very probable that the king would speak so disrespectfully of a translation which he had authorised to be printed for the instruction of his subjects; and it is incredible that, after this opinion was pronounced, he should have never, during the remaining twenty-two years of his reign, authorised the printing of any other version in Scotland" (Memorials for the Bible Societies, 75.) But King James was not one of that limited body of men as to whom a story may be discredited on the simple ground that it implies inconsistency of opinion or conduct.

rity of "the popes of Edinburgh," though perhaps it was a little enlarged since Melville began his career, was scarcely felt beyond the Firth of Tay on the north, and the districts bounded by Lanarkshire and Berwickshire. When "the popes" could be induced to try their strength in Aberdeen, or even in Perth, they were sure to be beaten. As to the General Assembly itself, it was a novelty recently brought from France. To contend with the Crown—with old fixed tribunals, such as the Courts of Secret Council and Justiciary — with the all-powerful Estates, which in the end pronounced against such an institution,—required an overwhelming popularity, and they had very little. Instead of concealing this weakness, they made it as widely notorious as they could, by repeated threats and denunciations against the people for the awful crime of disaffection to their legitimate spiritual masters. A day was fixed for solemnly dealing with this evil, and it ended in the production of a document, the very title of which proves how little popularity the party could count on at this period,—its representatives in the next generation became both powerful and popular, and this change came from causes which are easily traceable. This title was, "Causes of the Defection from the Purity, Zeal, and Practice of true Religion in all Estates of the Country, and how the same may be most effectually remedied."

They combined these lamentable symptoms with certain conclusions as to God's wrath, in a manner to furnish a good specimen of that circular logic which inevitably befalls those who profess to account not only for the acts, but even for the motives, of the Almighty power :—

"The principal cause of this fearful change, no doubt, is the just wrath of God kindled against the whole land for the unreverend estimation of the Gospel; and for the sins of all estates and dishonouring of their profession, and making the name of God to be blasphemed by the profane world without remorse."

There were other secondary grievances, such as deficiency in the proper endowments of Gospel ministers, and the insufficiency of the sound religious teaching of youth. We have an account by the chosen few of their reverend brethren, which must, if true, have been sufficient to damp any zeal not supported by a sense of infallibility :—

"Negligence in the lives of the ministry; not framing their conversations in gravity, as patterns of life to the people, but framing themselves excessively to the humours of men, especially communication at tables, and giving sometimes example of intemperance in the light and prodigal habiliments of their families."

The accounts of assemblies and other ecclesiastical meetings, though abundant, become now profitless. The departure of the king, as it took from their vivacity, seems also to have reduced their influence. The civil power determined to make war with the high party, and gained an easy victory. It was fought on the question whether General Assemblies belonged to the Crown, and were called and adjourned in the king's name, or were bodies acting in self-centred independence. This question, oddly enough, is not yet settled, and it is evaded by a subterfuge so abundantly ridiculous as to be a standing butt for the jests of the profane. Andrew Melville and his friends, however, were not the men to leave such a question open.

It was determined among his party to invade the enemy, and hold a General Assembly at Aberdeen. It was prohibited by royal proclamation. The great body of the clergy stayed at home; but Melville and his immediate friends journeyed to Aberdeen, and met there, nine in number. This small body went through a good deal of work in protesting and remonstrating; and in a second meeting, also denounced by royal authority, they mustered nineteen. The civil power now determined to act, and there was a general seizure among the recusants, of whom fourteen were committed to various prisons.

We are fortunate in the preservation of a letter by King James to the Scots Privy Council, which is the initiative of the Government policy against this demonstration. It expresses so thoroughly the royal mind and temper, that it announces itself as of the king's own unassisted composition. It begins thus: "We have heard of the late meeting of some of the ministry at Aberdeen, and has seen the copy of all their proceedings, which we find to savour of nothing else but of sedition and plain contempt of us and our authority; so we are fully resolved to have these beginnings prevented, and that ane present remeid be rather applied than that by increase of the malady the cure should hereafter be of greater difficulty; and we have particularly noted such special places whereby their seditious thoughts are clearly discovered which we have sent to you." Among the passages so noted, and the king's criticism on them, the following are specimens. He finds that "they would witness and attest their willingness to the satisfaction to us and our Council, so far as might stand with the Word of

God and the testimony of their conscience." On this the comment is: "Now the rule of their conscience being their own conceit and apprehension, they think themselves no farther astricted to our obedience and satisfaction than shall seem to themselves expedient." Another note is: "In making mention of the discharge of their duty, they nominate God, Kirk, and their conscience; but the mention of any duty to us, their prince and sovereign, is omitted, as if neither nature nor the Word of God had ever directed obedience of subjects to their native princes." The conclusion is: "We doubt not that these unruly spirits that have convened at this time have directly come under the compass of our law, and may be proceeded against and punished as trespassers in a very high degree, wherein, however, our inclination has been from our native disposition to clemency, and free of all rigour and severity, yet in this we do fear much that lenity shall produce no good effect; and it being ane great deal better that ane unnecessary member should be cut off, than by the gangrene and corruption of it the haill body should be endangered, we will rather make choice to cause proceed with rigour and extremity against some of these, according to the quality of their crime, than by suffering them to escape with such faults, to make others, upon hope of like impunity, to make no account to commit the like trespass."[1]

This letter is dated 19th July 1605. On the 10th of January 1606, the celebrated preacher, John Welch, Knox's son-in-law, and four other brethren, who had furthered the attempt at Aberdeen, were brought to trial for treason. This has a formidable sound, and

[1] Original Letters (Bannatyne Club), i. 355.

much was made of it in ecclesiastical controversy; but it had no analogy with an English trial for high treason. One of the peculiarities of the Scotch courts was the heavy penalties that might be exacted from those who disobeyed them. It extended to the civil as well as the criminal courts, and the debtor unable to pay the sum decreed against him was denounced as a rebel or traitor for his contumacy in refusing obedience to his majesty's tribunal. Perhaps it was a natural recourse in a country where the law had a continual conflict with people able to give it effectual resistance. If they failed in this resistance, and were at last subdued, there was thus an ample provision of vengeance laid up against them.

These men had been cited before the Court of Secret Council to answer for their conduct in holding an assembly not only unsanctioned by the Crown, but against a positive order to desist. They declined to admit the jurisdiction of the Council, maintaining that the charge against them concerned matters spiritual, which the civil tribunals were incompetent to treat; and they gave in their "Declinature" in all proper form. They had for their counsel Thomas Hope, who afterwards became celebrated as the lay leader of the High-Church Presbyterians at a juncture when their cause seemed to have finally triumphed. The pleadings on both sides are full of technicalities which it serves no real purpose here to examine. To whatever other charges the parties who promoted the prosecution might be amenable, indecent haste was not among them. The case began in January, and the decision was not given till October. The judgment was, that the accused be banished from the king's dominions for life, a punish-

ment that permitted them to choose their own residence anywhere else.[1] Whether this was punishment or persecution, must follow the decision whether the control of the ecclesiastical assemblies of an Established Church belongs to the Crown or to the Church itself.

There is no evidence that this matter created much excitement beyond Fife and the Lothians, and there the absence of the leaders seems to have withdrawn from the party the old vigour of action and declamation. The Synod of Fife showed more tribulation than truculence in the following causes, for which they proclaimed a fast:—

"The plague of pestilence so long continuing, and the little estimation of the hand of God therein.

"Unseasonable weather in the time of harvest. The distraction of the ministry, and some thereof seeking their own preferment, contrary to the Word of God and constitution of our Kirk. The restraint of General Assemblies, being so needful in time of atheism and Papistry growing.

"The imprisonment of ministers, and restraining them from their flocks at the time wherein God's judgments are broken forth.

"The not knowing the day of our visitation in things pertaining to our own peace, neither by the seers and watchmen, nor by the people."

Even the remnant of the Presbytery of Edinburgh, when freed from those fiery spirits which had commanded and driven, exulted in their emancipation. They rejoiced at the manifestations of his majesty's "just anger" in the imprisonment of such "as the Kirk here has at last been forced to cut off and excom-

[1] Pitcairn, ii. 494-504.

municate from her society." And their conclusion is: "We cannot but render most hearty thanks to our God, and acknowledge His blessings towards us in your majesty; so do we find our obligation increased to meet your majesty in all possible gratitude and duty, according to the bounds of our vocation, most humbly entreating your majesty that this so good a work, so well begun and wisely as yet followed forth, be not interrupted nor let off till it be brought to some good fine and perfection, that the proud and obstinate being sufficiently humbled, and the horns of the wicked, that do push against Christ and your majesty, His anointed, cutted down, there may be peace and health in Zion, and prosperity within all your majesty's bounds."[1]

A different method was taken with Melville, his nephew, and six other brethren. Each of them received a request, or it might be said a command, to go to the English Court, "that his majesty might treat with him, and others his brethren of good learning, judgment, and experience, towards such things as would tend to settle the peace of the Church, and to justify to the world the measures which his majesty, after such extraordinary condescension, might find it necessary to adopt for repressing the obstinate and turbulent." They had a good reception in the secular sense—were amply supplied at table, and found the king affable and jocular. One would value an account of this curious visit from a more easy and descriptive pen than that of the younger Melville, to whom all was a matter of far too much earnestness to furnish an occasion for the amusement of the world. There were

[1] Original Letters to James VI. (Bannatyne Club), i. 166.

debates and conferences of the old kind, with the old arguments for the divine right of Episcopacy on the one hand, and the divine right of Presbyterian Church government on the other.

But one part of the king's project, in its conspicuous originality, stood entirely apart from such common practices. The king was to try the effect upon his guests of a protracted course of attendance on the services of the Church of England in their most solemn and gorgeous form. As some of his acts and sayings have been accepted as indications of remarkable wisdom, of this it may be said that its transcendent folly was sufficient to neutralise the collective wisdom to be found in all his sayings and doings. Let us suppose that some zealous minister of the Old-Light Secession in a moorland district of the west of Scotland is to be reconciled to the old Church. Instead of being gently educated to the change by patient and insinuating Jesuitry, suppose him at once brought in to the performance of high mass in Belgium or Italy, amid the pictures and graven images, the censers, the theatrical motions, the changes of vestment, the adoration of the host, and the other horrors that invest the Scarlet Woman. Suppose, on the other hand, that the dreamy illogical devotee of this worship is to be made alive to the perfect logic of Calvinism, and is for that purpose brought to a cold grey house with a slated roof, within which he is subjected to the three long "exercises" which are the hard day's work of the exemplary pastor, and to the execrable psalmody of his "band" of parishioners. The chances of a favourable impression in either case are much on a par with those of the success of the king's brilliant project.

In fact, the effect produced by it was attested by a Latin epigram, in which Melville turned into grim ridicule the decorations of the communion-table—a clever epigram, which drew much attention in its day. The epigram passed from hand to hand until it reached the king, and Melville was cited to answer for it before the Privy Council. There the storm burst, and Melville again so far lost all temper and decorum as to make a near approach to a personal assault. The chief object of his wrath on this occasion was Bancroft, Archbishop of Canterbury. The scene is told by his nephew:—

"Mr Andrew Melville called; Confessed that he had made such verses, being much moved in his mind by indignation to see such vanities and superstition in a Christian Reformed Kirk, under a Christian king born and brought up in the light of the Gospel most sincerely—before idolaters to confirm them in the same, and grieve the hearts of true worshippers. And being spoken unto by the Archbishop of Canterbury, who sat upmost at the council-table on the right hand, took occasion plainly to his face, before the Council, to tell him all his mind, whilk broke out as enclosed fire in water! He burdened him with all those corruptions and vanities, with profanation of the Sabbath, silencing, imprisoning, and bearing down of the true and faithful preachers of the Word of God; of setting and holding up of antichristian hierarchy and Popish ceremonies. And taking him by the white sleeves of his rochet, and shaking them in his manner freely and roundly, called them 'Romish rags, and a part of the Beast's mark.' He told him further, that if he was the author of the book intituled 'Scoteising Genevat-

ing Discipline,' he esteemed him the capital enemy of all Reformed Churches in Europe, and would profess him enemy to him and all such proceedings to the effusion of the last drop of all the blood in his body."[1]

Such was the effect of the king's knowing project. The Council felt themselves competent to deal with all this as amounting to the offence of *scandalum magnatum*, and Melville was committed to the custody of the Dean of St Paul's, and afterwards to the Tower. The other brethren were disposed of after much harassing pressure and discussion. James Melville was required to take up his abode at Newcastle-on-Tyne, under the sanction that criminal proceedings would be adopted against him if he passed beyond ten miles from that town. By arrangement with the Scottish authorities, the others were placed under like restraint in different parts of Scotland. All these doings were of course heavily denounced by the High Presbyterian party, and they did not receive much countenance from any other. If they might not be called a systematic piece of treachery, yet they savoured of an unworthy desertion of the spirit of hospitality. The king's credit in the matter was not improved by a story, generally accredited, how, during some of the harassing contests, he sat in a secret chamber, where unseen he could hear all that was said.

The elder Melville obtained his liberty only on the condition of living out of the king's dominions. Now sixty-six years old, he resumed in some measure his old pursuit of the wandering scholar, taking such employment as he could find in the seats of learning open to his creed. He died in 1620 at Sedan, one of the

[1] Melville's Diary, 679.

Huguenot universities. His death was almost unnoticed, and his memory faded away from all memories save those of the remnant of his own peculiar people. His name will not be found in the biographical dictionaries save in a few of recent times, for his fame in the present day is due to its resuscitation by a man who lived into the present generation.

Melville had many gifts, both good and great; but they were too great to find full working-room in the age on which he fell. He was an accomplished general without an army. Some might regret that he did not live fifty years earlier; yet it is not easy to realise Knox and him co-operating in harmony, the one acting as lieutenant to the other. There are two positions, either of which might have given him a great name in history. Had it been his lot to lead a haughty ecclesiastical hierarchy, striving to subdue and control secular principalities and powers, he would have made another Hildebrand or A'Becket. It would have suited his genius as well to have led the attack of a band of zealous champions of primitive Gospel doctrine and purity of order, against a voluptuous and corrupt hierarchy choked with riches. The warfare that fell to his lot was in too small a field to develop his powers. He was a man of varied accomplishments. His poems hold a respectable place in the 'Deliciæ Poetarum Scotorum,' and that collection ranked well among the Deliciæ of other nations. The accepted writers of the Latin period of European literature appealed to a splendid audience—the whole learned world of Europe. But the countless volumes so eagerly read and criticised in their day now moulder undisturbed on the shelves of great collectors. Buchanan is read because

he was a great poetical genius, whose medium for its utterance was the Latin language. But it is the vernacular literature of the later European nations that we now affect; and the desultory gossiping Diary of the younger Melville is read when his uncle's pointed and classical epigrams are forgotten.[1]

Two things strengthened the king's hands for the course he was taking. The Gunpowder Plot showed that he was not beloved by the Romish party; and the discoveries about the Gowrie Conspiracy swept away all justifiable suspicion that the affair was a plot of his own devising. The Estates lent their supreme power to his plans for the reconstruction of Episcopacy. They passed an Act in 1606 for the restoration of the order of bishops "to their ancient and accustomed honours, dignities, prerogatives, privileges, livings, lands," &c. About the honours and dignities there was at the time little difficulty; but we shall presently find that their restoration to the temporalities of the sees was not so hopeful a project. This Act dealing with the dignities and temporalities of the bishops as lords of Parliament, it was deemed desirable that the further legislation, which was to deal more closely with their spiritual functions, should have the sanction of a General Assembly. It was held

[1] Perhaps Andrew Melville's fame at the present day owes more to the chivalrous and affectionate effort of Dr M'Crie in creating it than to its own intrinsic value. M'Crie was a scholar among a brotherhood whose poverty made scholarship rare among them. Poor and obscure as the Secession were, however, they professed to be the only legitimate representatives of the Church of Scotland in her best days—those of Andrew Melville and Robert Bruce; and it was a piece of natural and legitimate ambition in the man who was their literary ornament to endeavour to show that in the old days they had possessed one of the greatest scholars of his age.

in Glasgow in 1610. The collective ecclesiastical bodies moulded on the Presbyterian system were not abolished. The General Assembly was to hold its meetings as authorised by the Crown. Of the provincial synods the bishops were to be permanent moderators. Presbyteries were not directly abolished, but it was observed that no place was left for them in the new hierarchy. No acts of discipline or others affecting ecclesiastical rights, as admission and deposition of ministers, were to be valid without the sanction of the bishop. These adjustments were ratified by an Act of the Estates in 1612. The Assembly had further resolved that the bishops should, in all things concerning their life, conversation, and performance of their duties, be liable to the censure of General Assemblies; but this the Estates left unnoticed.

In February 1610, two "courts of high commission" were erected by an Act of the prerogative, one for each province, to consist of bishops, the archbishop presiding. They were afterwards united into one. This project got more notoriety from coincidence of name with the arbitrary tribunal so much detested in England, than by any tyrannies laid to its charge. Its duty was to deal with those questions of scandal and the like which had been claimed by the Presbyterian sessions and presbyteries; and as the bishops did not countenance so rigid a system of correction in such matters as their republican predecessors, the high commission, during its short life, was not attended by much national odium. Named by the Crown, it could not assert the high independent prerogatives claimed by the Presbyterian tribunals. In fact the prelates who acted in the new courts found that the Court of

Session, as the supreme civil tribunal of the realm, would control their judgments—a prospect which no doubt annoyed them, though it did not cause such a burst of wrath as their predecessors might have uttered against such an outrage.[1]

This restoration of the prelates to the nomenclature and outward form of their old prerogatives made no great revolution in the constitution of the Estates. We may find one Parliament, perhaps two, since the Reformation, in which the bishops were not represented in some form or other. The sees had been kept full since the step taken at the beginning of the century, although many of those who were in name bishops had in reality undertaken the character and duties of working parish clergymen, and had no reason to expect the glories in store for them. King James occupied himself in devising suitable robes for Protestant bishops reinstated to the old honours of the order. He was still the schoolboy so delighted with his latest novelty that the world must know all about it. He would have a grand public display of all the new finery he had brought into existence. The "riding of the Parliament" was an old procession worked out with great pomp and ceremony on solemn occasions, but otherwise a nominal affair from which people could absent themselves. The king would have the bishops flaunt their new robes in a solemn "riding,"

[1] Archbishop Spottiswood, writing to Lord Annandale, says: "One inconvenience begets always another. The warrant sent home for the Papists of Aberdeen caused the lords grant ane suspension of their horning, whereupon I am cited, by the copy enclosed, to answer the last of this month, and produce the decreet of the high commission, with the rest that followed thereupon; which is in effect a subjecting of our decreets to their judicatory, and the disannulling of the commission and authority of it."—Original Letters (Bannatyne Club), 769.

and he laid down the order to be held in it: first marquesses, then archbishops, after these earls, then the suffragan bishops, and after them the lesser nobility.[1] The particularity of this was offensive. Heretofore, in the minuting and voting, the spiritual powers came first in order, then the temporal: it was a general separation into two sets, and by courtesy the laymen gave precedence to the clergymen. But here there was a more exact estimate of relative values. Certain clergy were higher than earls, and would take precedence of them; others would follow the earls, but precede the barons.

A defect in the spiritual title of these Scottish bishops required a remedy. There was an absolute break in the apostolical continuance of consecration. There were not in Scotland three bishops who had severally been attested by the hands of other three having been laid upon the head of each.[2] It was necessary, therefore, that the readjusted hierarchy should get its credentials from England. There was some tremor in Scotland lest this necessity might be the opportunity for the Church of England renewing old claims of ascendancy over Scotland; but this was obviated by an arrangement that no English metropolitan should appear in the ceremony. In October 1610, in London House, the Bishops of London, Ely, Rochester, and Worcester laid their apostolic hands on the Archbishop of Glasgow and the Bishops of Brechin and Galloway, who thus returned to Scotland

[1] Original Letters (Bannatyne Club), 382.

[2] There has been much speculation about the reason why three should be necessary to carry on the line of episcopal descent. My own idea is, that it is an application of the maxim of the civil law that three are necessary for corporate or collegiate action—"Tres faciunt collegium."

with power to communicate the pastoral attributes to their colleagues.

In the Reformation itself, and in all the ecclesiastical events which followed it in Scotland, the disposal of the ancient property of the Church had a preponderating influence; and it will become necessary to look into the practical results of that part of the Act of 1606 which professed to restore the bishops to their old wealth. The Act of Annexation of 1587 was repealed to the extent necessary to accomplish this purpose. That Act vested in the Crown all estates then in the hands of ecclesiastical persons such as the bishops, or corporations such as the houses of the regulars. But the wealth thus drawn to the Crown was but a fragment of the old ecclesiastical revenues. In the first place, there was an exception of those domains which were converted into temporal lordships, and had thus become the patrimony of great baronial houses. In the next place, all beneficiary interests in the estates which had been validly created in favour of third parties by those in possession were confirmed. Some of these were mere leases, others were feu-holdings, under which the occupant of the land, though holding in vassalage, was the real owner. Many members of the Estates no doubt enjoyed such holdings, and there was a careful provision that they should not be questioned either for the inadequacy of the pecuniary consideration, or any other cause. Thus the Crown came into the rights just as they were held by the ecclesiastical owners, in whose hands many of them had become a barren dominion.

Such as they were, these domains acquired by the Crown had been for twenty years subject to the risks

to which such property is proverbially liable. Wherever there is property held for the benefit of the public at large, there a ceaseless suction is at work, like a dynamic power in nature, drawing it into private hands. Statesmen, with all modern appliances against dishonesty and official neglect, know how difficult it is to keep the domains of the Crown from "waste." In that day it was guarded by careless officers ever ready to serve a friend, especially for a consideration in return; these friends were a needy, rapacious, and powerful body of men, ever hovering around the treasure so imperfectly guarded.

The result is shown in the pecuniary difficulties revealed in the personal correspondence of these unfortunate bishops. From the year 1560 downwards, the new Church gave forth a steady wail of poverty. Heretofore it had come from the Church collectively; now it was broken up into the personal grumblings of those whose eminence of position made them the most conspicuous among the sufferers. The poverty of each was the poverty of his see, and their collective grievances are a testimony to insuperable difficulties in the way of the new polity; hence it happens that the confidential communings of a body of respectable gentlemen, touching sources of income and the means of supporting social condition, belong to history.

Even at the beginning of the reconstruction of the hierarchy, when means were open for seizing all opportunities, one of the old ecclesiastical domains, so great that of itself it might almost have supported the new hierarchy, was disposed of by the Estates at the instance of the Crown. This was the domain of the rich Abbey of Aberbrothock. It was conveyed in 1606,

as a temporal lordship to the Marquess of Hamilton, whose family had obtained an interest in it before their forfeiture, the second son of the house holding the abbacy *in commendam*.[1] Abbot, Archbishop of Canterbury, either moved by his own zeal or incited from Scotland, gently remonstrated on this arrangement, saying: "It seemeth that your majesty is about to assure the Abbey of Arbroath unto a certain nobleman, which I could have wished with all my heart might have been annexed to some of your majesty's poor bishoprics, the nature of those kinds of livings considered." He hopes at least that two of the parochial clergy will receive certain small holdings promised to them as a provision out of the great domain.[2] The English archbishop, passing from this, says: "Also I beseech your majesty to be good to your Archbishop of St Andrews, that such as have some reservations out of that bishopric may content themselves with the assurances of them which they have already, and that the Parliament may not make them better than they

[1] The Act creating the temporal lordship is in Act. Parl., iv. 321.

[2] One of these, Patrick Lindsay, minister of St Vigeans, makes his moan to the king in the following distinct statement: "Although your highness did write very earnestly unto the Marquess of Hamilton, desiring him, as he would give proof of thankfulness for that great lordship and living of Arbroath freely granted unto him by your majesty, to suffer willingly my little piece of land, with the farms and duties thereof, to be reserved furth of his erection, according to your highness's warrant graciously granted me thereupon, for which I render many humble and hearty thanks; yet, nevertheless, the marquess has sa little regarded your majesty's desire thereanent, that he would neither obey the same, nor yet would he and his friends and favourers suffer your highness's warrant to be read nor voted, neither by the Lords of the Articles nor in public Parliament, but has obtained his erection without any reservation."—Original Letters, &c. (Bannatyne Club), 57. This is quite in keeping with the method of transacting business about the Crown estates. The value of such warrants depended much on the strength of the hand which held them.

are."[1] The brother archbishop for whom Abbot thus spoke a friendly word was George Gladstanes. He had become Bishop of Caithness in 1600, and was translated to St Andrews in 1606. He had thus entered the Episcopal service, as it may be called, in the days when it was sought by enthusiasts in the cause of Episcopacy, or adventurers calculating on the chances of the future. Whatever were his views, he who took the place took it without wealth. But now the hierarchy was to be supported as became its new rank and power, and men of position were invited to its honours and emoluments. The celebrated Archbishop John Spottiswood was translated from Glasgow to St Andrews in 1615. He was a man whose honest zeal and decorous life would exempt him from the suspicion of sordid machinations, and the poverty of his provision is only suffered to appear under hard pressure. In 1616 the Privy Council represent to the king a difficulty about the emoluments of the see. Out of the archbishop's revenues a fund had been set apart for the maintenance of the Castle of Edinburgh. The king had written to the Council to restore this fund to the revenues of the see, and to provide for the maintenance of the castle an equivalent out of what is called "his majesty's rents." The Council's answer was, that the captain of the castle declined "to dispossess him of a constant and sure rent under a pretext of that whilk will be uncertain." They further told him that "the constant and sure rent" was provided by Act of Parliament, and could only be revoked by the Estates themselves. The only alternative was, that his majesty should satisfy the claims of the archbishop from the

[1] Original Letters (Bannatyne Club), 55.

"uncertain" fund.[1] Six years afterwards we see the effect of such equivocal dealings in a private letter, in which the archbishop tells his household troubles to his influential friend John Murray of the bed-chamber:—

"I am glad to understand that his majesty has been pleased to set you on work about these moneys, for thereby I look to come to some end. The burthens that lie upon me that way render my service the less profitable, and force me to live at home and more obscure, except where necessity presses me to attend. To further the service I spared no expense, and made for it upon one occasion or other one-and-forty journeys to Court, whereby it may be soon conceived what bred me these burthens. I left Glasgow, and took myself to a greater charge with less provision, only, as God is my witness, to advance the business, which I knew men, thought more able than myself, would not be so willing unto. Then the time is so fallen out by the cheapness of corns, that the little thing I have will be the less by the half this year than before; so beyond my annuals, little remains to myself—and in what case I should leave my children if God should visit me He knows."[2]

Though he deemed himself better off in Glasgow,

[1] Original Letters (Bannatyne Club), 495.

[2] Ibid., 644. The reference to the cheapness of grain as a source of loss is explained by the practice of either paying or estimating rents in measures of grain. How burdensome his journeys to Court might be he shows in a letter to Lord Ormond, dated 20th January 1624: "The last I wrote to your lordship was by John Auchmuty from Newcastle, wherein I advertised your lordship of our troublesome journey homewards, and the loss I made of two horses; and now all the four are gone, so as I must make new provision. If your lordship conveniently can obtain for me a precept for my charges to the treasury, it will come to this troublesome year in good season."—Ibid., 737.

yet his successor there had his own troubles. He imparts them to a friend in a circuitous and intricate story, which has, however, a distinct beginning: "I am charged by one John Belschese, advocate, at the instance of Sir Robert Maxwell, to pay him within some six or ten days twelve thousand marks, whereof I gave my bond at the resignation of New Abbey, to assure him of that promise which was made to his majesty to that effect; for it pleased his majesty, not only for his interest then, but to recompense his other services, to grant at my humble entreaty so much to the gentleman. I have no relief or possibility to pay it, being otherwise burdened in my particular estate." The transaction appears to have stood thus: Sir Robert had got his hands on certain revenues of the fraternity of New Abbey, popularly called Sweetheart, near Dumfries. The revenues were wanted for the see of Glasgow, and that Sir Robert might be induced peacefully to yield them up, it was desirable to offer him a bribe. The archbishop, by his own admission, furthered this arrangement. Sir Robert, estimating at its proper value the royal promise to pay, required a personal bond or guarantee from the archbishop. A gift of the revenues to the see was issued under the sign-manual; but it was, like many other sign-manuals of that day, checked in its way through the public offices because there were other claimants on the revenues. Sir Robert, finding the royal promise to compensate him for giving up these revenues equally ineffective, prosecuted the archbishop as his majesty's surety. At the conclusion of his story the archbishop says: "I would entreat you to see if I may have warrant for the passing through of that grant

which his majesty signed to me; and I will take some course myself to relieve Sir Robert's debt, upon surety that it shall be repaid to me, or some of mine, when money is more rife in his majesty's coffers."[1]

From the correspondence of the day, one would infer that the Bishop of Galloway was engaged in a multiplicity of lawsuits about his income—sometimes defending himself against aggressive demands, at other times prosecuting defaulters in such matters as this, about the revenues of the Priory of Whitthorn, "whereof I can get no duty, whether of feu or tack, so that I am forced to summon all that has interest to these lands, to see their feus reduced for not payment these four years by-past since my entry."[2] These defaulters to the Church are found acting much like vulgar debtors of modern times. Dealing with his neighbour, Lord Garlies, he tells how "my lord got very reasonable conditions from me, but none are kept. Neither is my duty nor the duty of the ministers thankfully paid, so that I am forced to seek my own at law." He had just held a communing with this lord, when, "in the midst thereof, my lord, fearing I should charge him under pain of horning, conveyed himself the more secretly away in the morning;" in other words, he escaped to avoid an arrest.[3]

This bishop begins a letter to the king, saying: "For help of my bishopric, so dilapidated by the deed of umwhile Bishop Gordon, that it cannot be ane sufficient or honest maintenance to any of that estate,

[1] Original Letters (Bannatyne Club), 444, 445*. The letter is supposed to have been addressed to John Murray.

[2] Original Letters (Bannatyne Club), 733.

[3] Ibid., 457.

your highness hath been graciously pleased to dispone to me the abbacy of Glenluce." But the rest of the letter expresses at some length that the proper officers refused to pass the gift because the Lord Chancellor had instructions from his majesty for disposing otherwise of the revenues of Glenluce.[1]

The poor Bishop of Galloway gave zealous aid to the king's project for enforcing the Articles of Perth, of which hereafter; and helped energetically in the establishment of a singing choir in the Chapel of Holyrood House. This last had been a costly service to him, and he complained thus to the king: "It is hard for me to give my own poor portion for restitution of the chapel, and to serve in it, without house-male or stipend; for in truth I am forced to give all to the prebendaries. I remit this to your highness's gracious pleasure, and yet expects of your princely equity a gracious answer."[2]

The Bishop of Dunkeld had his narrative of griefs in keeping with the others: "Since it has been your majesty's most royal care to restore the decayed benefices in Scotland, and to help their losses with their own patrimony, as any part thereof should fall in your majesty's hands, whilk is the only and fittest way to do the same; and now the kirk of Cramond falling to your majesty's hands, I could not of duty omit to remember your majesty that that kirk may be restored again to the bishopric of Dunkeld, fra whilk the same was dismembered." He admits that "it may be alleged that Meigle was given in recompense to Dunkeld for Cramond;" but he explains how, in the course of conducting the business of the exchange, certain rapacious

[1] Original Letters (Bannatyne Club), 251. [2] Ibid., 562, 563.

hands got possession both of Cramond and Meigle. "It is marvellous," says the bishop, "as earnest as your majesty has been and is to help the decayed parts of your dilapidated benefices, so, as earnest men have been and are by policy to dismember and overthrow the same." Doubtless few men were ever more in earnest than those who had set themselves to this work. The applicant concludes: "Referring always the same to the greatness of your majesty's wisdom and consideration, out of the whilk I doubt not but your majesty's care will so help this benefice, that ane honest man may live and serve your majesty therein."[1]

The Bishop of Moray had a story affording some variation to these dry legal technicalities. Alexander Lindsay was a favourite boon companion of King James. He accompanied his master in the matrimonial expedition to Norway. There he fell ill, and it was to console him on his bed of sickness that his master wrote that genial letter about "drinking and driving our" already referred to. The letter contained matter still more consolatory—a promise of a temporal lordship out of the revenues of the see of Moray, in these terms: "Sandie, 'till your good hap furnish me some better occasion to recompense your honest and faithful service, uttered by your diligent and careful attendance upon me, especially at this time, let this assure you, on the inviolable word of your own prince and master, that when God renders me in Scotland, I shall irrevocably, and with consent of Parliament, erect you the temporality of Moray in a temporal lordship, with all honours thereto appertaining. Let this serve for cure to your present dis-

[1] Original Letters (Bannatyne Club), 232, 233.

ease."[1] This promise was kept, and Lindsay became Lord Spynie. The title came from the bishop's palace or episcopal residence on the borders of a lake a few miles distant from his cathedral in Elgin. Any one who sees at the present day the massive square towers of "Spynie Castle," will pronounce it a fitter residence for a feudal baron than an ecclesiastic; but the Bishop of Moray had rich domains, and they were near the Highlands, so that a fortress served his turn better than a palace.

The new lord, however, was to learn that what came so easily might be easily taken away. To complete his restoration of the hierarchy in 1606, the king wanted back the revenues of the see of Moray. He wrote again to his Sandie, explaining the new arrangements, and the pleasure he felt in discovering, as, with clumsy insincerity, he says, "how willing ye are to surrender your right of that bishopric in our hands." Of course something was offered as compensation for such a sacrifice; and that it was not a fair price, even had it been paid, may be inferred from what the king says further in the same letter: "We desire you will be content with the terms of payment; and since ye have begun well, let the end be answerable to the beginning, whereof ye shall have no occasion of repentance: the by-past experience of our favour may assure you also hereafter that ye shall be no loser at our hands."[2] From what follows it would appear that Sandie was not satisfied with the sufficiency of his royal debtor, and required a bond or obligation from the bishop for a sum of money, whether as an addition to what the king engaged for, or as a resource if the

[1] Dalzell's Fragments, 83. [2] Lives of the Lindsays, i. 324.

royal obligation should fail. Thus their position to each other was a parallel to that of the Bishop of Galloway and Sir Robert Maxwell.

Soon after this Lord Spynie fell a victim to what was called at the time "a pitiful mistake." The executive in Scotland was not yet strong enough to suppress or even mitigate the feudal contests—the wars of neighbour with neighbour—which had been habitual for centuries, except when a strong government, like Murray's or Morton's, held them back. They often disturbed the peace of the corporate towns with brawls and bloodshed. The Lindsays were peculiar as a house divided against itself. The heir to their chief honours, the Master of Crawford, was notorious, even among the wild spirits of the time, for deeds of blood and all manner of violence. He lay under an odious imputation—the murder of his relation and benefactor, Sir Walter Lindsay. Sir Walter's nephews resolved to take vengeance by slaying the murderer. They fell on him walking along the High Street of Edinburgh with their uncle, Lord Spynie. It was a dark night, so that "they could not know one by the other." The weight of their onset fell upon the wrong man, and instead of the wicked Master they slew their uncle, the king's favourite. Such was the fate of the man who had obtained and been compelled to surrender the revenues of the see of Moray.[1]

There was much popular sympathy with the slain man's orphan children; and their guardian took the opportunity to sue the Bishop of Moray, in name of the young Lord Spynie, for payment of the bond he had granted to their father. The bishop thus tells

[1] Lives of the Lindsays, i. 386; Pitcairn, iii. 61 *et seq.*

his story to the king: "Albeit your majesty coft [bought] this benefice of the bishopric of Moray from the umwhile Lord Spynie, yet true it is that the Lord Spynie circumvened me, and got ane bond of mine for ten thousand marks, to have been paid in ten years; and because I affirmed I would certify your majesty thereof, he promised in his own time to discharge the same for ane less sum. And he being tane away, his brother, Sir John Lindsay, tutor to this Lord Spynie, agreed with me for four thousand and four hundred marks, whilk I paid four years since, not willing that the knowledge thereof should have come to your majesty's ears. But now Sir John Lindsay being also dead, and my bond found registered, this Lord Spynie's curators pursues me for fulfilling that whole bond of ten thousand marks. I most humbly desire your majesty's earnest letter to my Lord Chancellor of Scotland, showing that your majesty is offended that any gear should be sought of me for that whilk your highness paid for sufficiently." On the other side it was pleaded, that "it is not unknown that the said bishop was both of sound wit and good judgment, and could have very weel and advisedly made and set down his own bargain, and would never have been moved to have yielded the said bond but on weighty respects, tending always to his own particular profit and commodity."[1]

About this bond there was much tough litigation; and the bishop, smarting under it, thus appealed to his master: "It may please your most gracious majesty, I am every session here troubled by the Lord Spynie and his curators for that ten thousand

[1] Original Letters (Bannatyne Club), 278, 439-42.

marks, so that I am now almost exhausted, and has scarce mean to maintain myself so often in Edinburgh to defend the cause, far less able to pay that debt; and will be forced by time to retire myself, and not to appear to do your majesty's service, unless your highness's accustomed misericord provide timeously for me."[1] We afterwards find the bishop, in his perplexity, desiring that certain feudal obligations which the Crown held by the letter of the law over the Spynie estates should be exacted, or should be indorsed over so as to be at his own disposal.[2] It would appear that by a skilful use of this instrument of oppression the young lord was "put to the horn" and declared a rebel, so that the Crown was entitled to take possession of all his property. We find the bishop exulting in success, since he received a gift from the Crown of his own bond for ten thousand marks, being part of the forfeited estate. But his rejoicing is sadly premature; for on putting in his claim that it may pass the proper offices, he is told that the whole forfeited estate of the Lord Spynie had been otherwise disposed of, so that he might expect to be assailed about his bond by some new holder. And this is not his sole remaining grief. He hears that of the revenues of his see, such as they are, a portion is to be handed over to his neighbour the Bishop of Ross.[3]

This bishop—who, by the way, was a Lindsay—had his own difficulties. We find a letter by the king to the Court of Session, directing them to "administer justice with as speedy a despatch as the

[1] Original Letters (Bannatyne Club), 303, 304.
[2] Ibid., 463. [3] Ibid., 508, 591.

course of our laws can conveniently permit," to enable the Bishop of Ross to recover "sundry rents and commodities" unjustly withheld from him; "whereby, besides his great pains and charges, he is distracted from attending his calling in the Church, far from our intention, which would have him peaceably to enjoy the benefit of that which we have bestowed upon him, that he may be the more able to attend his charge."[1] The king had just restored to the heir of the house of Balmerinoch the estates forfeited through his father's treason. It will be remembered that the old lord was brought to confess how he happened to shuffle in among some papers laid down for the royal signature that letter to the Pope which brought so much scandal on his master. By the king's account the son had played a similar trick, but for his own profit, not that of the Church of Rome. The deeds for effecting the restoration contained clauses annexing certain items of the revenue of the see of Ross to the Balmerinoch estate. On the bishop remonstrating against the alienation, King James assumed honest indignation, and wrote to his Privy Council, saying: "We do never remember of any such thing intended by us, and cannot but think that it was procured without our knowledge; for otherwise, if we had been acquainted therewith, we have ever been so careful to have benefices and privileges restored unto the Church that are justly due unto her, that we would never have condescended unto this, which is so far contrary to that course which we do usually keep; and we will omit no lawful means that we may use whereby it may be repaired."[2]

[1] Original Letters (Bannatyne Club), 427. [2] Ibid., 827.

Let us now look in upon those outlying districts where powerful men did not embarrass themselves with legal chicanery, but employed simpler and more rapid expedients. A proclamation of the Privy Council in 1623 denounces the Earl of Caithness for several acts of lawlessness, and among others, "that he has these divers years bygone seized upon the Bishop of Caithness, his whole estate and living; for the whilk, he is six or seven times denounced rebel, and put to the horn." The Archbishops of St Andrews and Glasgow represent at the same time to the king "the troubles made to the Bishop of Caithness by the earl of that county, who liveth subject to no law, and debarreth him of his rent and living, hath brought him to such necessity that we are forced humbly to meane his estate to your majesty, especially at this time when he is charged and forced to pay taxation, whereof he cannot get that relief which other prelates have, nor enjoy any of his own rent, and that by reason of the disorder of that part of the country by the earl thereof and his evil example. So unless some course be taken to render the earl obedient, and to supply the bishop's necessities and burthens, he will be forced to quit his place and charge." The bishop himself, in few and modest words, confirms the statement of his brethren: "The disorder of that part wherein your majesty was pleased to prefer me hath so frustrate me of my small rent, and made me so unable to serve into my place, that I am redacted to such extremity, that unless I be otherwise helped I will be forced to quit my place. This hard estate under which I am brought compelleth me to have recourse to your majesty's most gracious favour and

care, as to my only refuge, that your majesty would be graciously pleased to make me some relief for supporting of my present necessities."[1]

Andrew Knox, Bishop of the Isles, was beset by difficulties peculiar and exceptional. His pastoral charge lay among a people entirely distinct in manners, institutions, and language, from the Lowland population of the country; and the offices and functions conferred on him were as exceptional as his charge. He was to command an armed force for the purpose of suppressing the conflicts of the clans ranged in hostility against each other. In the year 1611 he received "a commission for life as steward and justice of all the north and west isles of Scotland, except Orkney and Shetland, with the homage and service of the king's tenants in these bounds, and all fees and casualties pertaining to the offices conferred on him." He was thus to keep order in his diocese, with a licence to appropriate to himself, as the revenue of his see, whatever feudal duties he could levy. The Castle of Dunivaig, in Islay, had been for some time garrisoned by the Crown for the purpose of holding the turbulent district in awe; and in addition to his other civil, or rather military, functions, the bishop was made constable of the castle. The bishop, although it has been said that he kept the Isles in unusual peace during his tenure of the office of constable, was not successful as commander of a fortress. After the bishop had held it for three years, the castle was surprised and taken by a certain Ranald Oig. He was not a legitimate chief or leader, but an adventurer, with a band of "broken men" in his service. Hearing of this outrage, Angus Oig, the

[1] Original Letters (Bannatyne Club), 707, 708.

brother of Sir James Macdonald of Islay, sent round the fiery cross and collected a force for the recovery of the castle. He gave the command of the besieging party to his kinsman Coll MacGillespick, commonly called Coll Keitache, or the Left-handed. Ranald was driven forth, and with his garrison escaped by sea. This recapture was professedly undertaken in all dutiful loyalty to the king and his right reverend constable. But when Angus Oig felt himself master of that stronghold, it appeared that there was something so seductively charming in the situation that he could not prevail on himself to give it over to the constable. Whether it was from this feeling, or that he was doing his part in some deep Highland plots, he held the castle stoutly. In fact Angus and his relations generally were then fugitives from the criminal law—that is to say, for various outrages and defiances of the constituted authorities, accumulated writs had been issued against them, the nature of which was to be fatal to liberty, or even to life, if the persons against whom they stood could only be caught. This might, at that period, indeed, be called the chronic position of any Highland chief towards the law and the Government. Angus's brother, Sir James Macdonald, was then a prisoner in the Castle of Edinburgh under sentence of death. The ordnance and munitions supplied to Dunivaig as a Government fortress were on a scale far beyond the armaments of the Highland chiefs. The temptation to keep the place was strong. A crowd of adherents gradually gathered round Angus, and he threw out auxiliary works round the castle. The bishop meanwhile, in addition to his other coercive powers, obtained from the Privy Council "letters of

fire and sword," and prepared for an attack on the castle. Angus took the tone of a humble supplicant —he would naturally do what he could for his own safety; but let the Government grant him "remission" or pardon for all his offences, and he would readily and gladly yield the castle. A remission was sent to him through a herald, but that was not satisfactory— he would deal only with the bishop himself. The bishop collected what force he could; but whether it was that the clans which called themselves loyal shunned the service, or that, as it was charged against him, he called his levee during the few days in which the people of the district could gather in their harvest and means of living for the year, it so happened that the bishop had a scanty following. On landing near Dunivaig, he found the place swarming with enemies. Angus now laughed at the proffered remission, destroyed the boats which had brought over the party, and told them he would put them to death, bishop and all, unless they left hostages in his hands of sufficient importance to enable him to treat with the Government. Under this pressure, the bishop left behind his son and his nephew, with other hostages, and was permitted to move off with the remnant of his army.

The bishop, in his tribulation, hastened to make known, that whatever he did for the relief of the hostages should not compromise his majesty's Government. "Far be it from me," he says, "to enter under condition and trust with that false generation and bloody people. Yet I must, first for the relief of my friends out of the irons, and thereafter out of their hands, be their slave, and promise to do, and do what I have credited to do, as they direct me. But yet, by the

grace of God, shall never promise nor press to do anything in their favour that may offend his majesty, or touch his highness in honour or profit." And again: "There are many ways to overthrow that whole generation, notwithstanding somewhat be yielded to some of them for the eschewing of the danger of the men's lives who are in their hands." The hostages were extracted from the fortress while yet it remained in the hands of Angus Oig. He complained loudly of promises broken and treachery of divers kinds; and it is not unfair to the bishop's memory to believe that he practised the accepted Highland diplomacy of the day, the fundamental principle of which was, that no faith was to be kept with the Celt. As he said in confidence to his friend John Murray of the bedchamber: "Albeit I must always deal for the relief out of these villains' hands of my dearest friends, yet I am nowise obliged to do them great good, who has kythed themselves to have neither fear of God, care of their due obedience to their sovereign king, nor yet faith or truth to their neighbour."

There was a long contest before the bishop's mishap was retrieved and Dunivaig recovered for the Government. A considerable land and sea force was concentrated round the castle. On the other hand, the people rallied stronger and stronger on the appearance among them of their natural leader, Sir James Macdonald, who escaped from the Castle of Edinburgh. This war, as we shall see, inaugurated a partial revolution in the Highlands by the extension of the influence of the Campbells.

While the Bishop of the Isles was thus involved in the wars of his diocese, his brother—holding spiri-

tual rule over the more distant group of islands—the Bishop of Orkney, felt himself in the hands of a successful rebel and usurper. Patrick Stewart, Earl of Orkney, was running that career for which he was hanged in Edinburgh. He fortified his own castle and the strong tower of the adjacent Cathedral of St Magnus. He had a navy as well as an army, adopted so far as he could the pomp and ceremony of an independent court, revolutionised the laws of the islands, and proved the completeness and independence of his power by acts of oppression and cruelty. The new sovereign did not adopt King James's policy of "no bishop, no king," as one may without hesitation infer from this account which the bishop of his dominions gives of his own condition: "I am wearied with much travail; my means are wholly spent; my debt is unpaid; my losses are so great that I cannot see how to recover any part thereof; and I am not able to hold out any longer, but must needs either depart the country for debt or beg—which I am ashamed to do—or apply to some other thing to maintain me, if his majesty, now shortly after so long time, take not order with me."[1]

It is a slight relief to these gloomy and querulous revelations to find Adam Bellenden, Bishop of Dunblane, rejoicing in a gleam of good fortune; but it is only a gleam, with shadows behind it. His story would be spoilt in any telling but his own; and it is the more curious as it reveals at least one strange resource from which the king seems to have tried to relieve the poverty of his Scottish hierarchy:—

"I did write to your lordship on the receipt of the five hundred pounds sterling whilk his gracious ma-

[1] Original Letters, &c., 360.

jesty was pleased to send unto me. I think such a sum came never in a better time, and the Lord ever bless his majesty that had that remembrance of his poor servant. I know not, neither does it become me to inquire anent that money; but I must humbly crave your lordship's advice on this particular, and I beseech your lordship to write to me your answer.

"When I was in England his majesty did promise to me the making of two sergeants-at-law, and I travailed with some to that effect, with whom I covenanted if they were made sergeants by my means, they should give me eleven hundred pounds sterling the piece, and the projector a hundred pounds of it for his pains. Now I have received ane letter, that these same men are called to be sergeants, and has received his majesty's writ to that effect, and desires me to write to them anent that indenting. I beseech you to know if his majesty's will is I be paid by that course or not. If it be, it will be to me a good, well and great. If his majesty will not, far be it from me to offend his majesty in any matter, having received his favour in a beginning—albeit, alas! it does small to my burdens. I will attend his majesty's pleasure and leisure in the time and manner of all; for I will not be taxed of avarice for all my wants, and importune pressing so gracious a sovereign of whose bounty I have tasted. Albeit, if against Martinmas I get not some farther, I will find trouble again. As ever I may serve your lordship, try if by that course of sergeants I may expect help or not, and advise me," &c.[1] There is here the foreshadow of a suspicion, which no doubt was confirmed, that of two thousand and two hundred

[1] Letter to Viscount Ormond; Original Letters, &c., 726.

pounds which the bishop looked for, seventeen hundred had been somehow intercepted, and he must content himself with the dividend of some twenty per cent on his claim.

This collection of sordid exposures may serve as a practical commentary on a reproach uttered by Calderwood at a mixed meeting where bishops and Presbyterian ministers were squabbling: "It is an absurd thing to see men sitting in silks and satins, and crying 'Poverty! poverty!' in the mean time when purity is departing."[1]

If there were no better reason for hunting out and exposing to view all these small items of personal history, something might be said for them as revelations of the social condition and character of the times. They have a broader political bearing, however, though it is not likely to be well seen by those who have not studied the events of a period thirty years later. What we have to carry out of the whole selfish and cunning struggle is the determined pertinacity of the hold maintained by powerful men in Scotland over the revenues of the old Church. In the individual battles in which, by a combination of craft and force, each individual holder baffled the Government in its attempts to endow the new hierarchy, we see the training of those who were getting ready to show a combined front against any national measure likely to assail their personal interests. But before that struggle came we have still to tell of a succession of acts which, done in peace and in the spirit of promoting the cause of religion, were yet preparing the elements of national discord.

[1] History, vii. 251.

CHAPTER LXV.

James VII.

RETROSPECT ON THE POSITION OF THE MEMBERS OF THE CHURCH OF ROME—CONTINUED VITALITY UNDER PRESSURE—REASONS IN ITS EXISTENCE AS A DEPARTMENT OF THE EMPIRE—TENACITY OF THE CIVIL DEPARTMENT NATURALLY EXTENDED TO THE ECCLESIASTICAL—THE DEVOTIONAL LITERATURE OF THE ROMANISTS IN SCOTLAND—JOHN HAMILTON—JOHN HAY—THE CATECHISM OF CANISIUS—A NEW CLASS OF CONTROVERSIALISTS CONTRASTED WITH THE OLDER CLASS—ARCHIBALD HAMILTON AND MICHAEL BURNE—RESOLUTION TO MAKE A MARTYR—THE EXECUTION OF OGILVIE—EFFECTS ON SCOTLAND OF THE STRENGTH OF THE GOVERNMENT THROUGH THE ACCESSION—STATE OF THE COUNTRY AT THE PERIOD—THE BORDERS—THE HIGHLANDS—PREDATORY PROPENSITIES OF THE HIGHLANDERS—THEIR MIGRATIONS INTO ULSTER—ATTEMPT TO "PLANT" THE HIGHLANDS—REVOLUTION IN THE INTERIOR CONDITION.

A SAD tragedy, presently to be told, recalls the existence of the old Church, and suggests a few words on the condition and prospects of its remaining adherents. Efforts thorough and vigorous were made to expel or crush Popery; but still it remained, lifting itself up in unexpected places, and frightening zealous Protestants, who felt like a settler in the wilderness when he believes that he has extirpated his venomous neighbours, yet beholds a viper gliding through the grass where his children are at play. This tenacity of life

was attributed to the doing of Satan, who had found this method for harassing and frightening the Lord's people. On the other hand, it was held as a testimony that St Peter's chair was founded upon the Rock of Ages, and that the gates of hell were not to prevail against it. But any one not ambitious of reaching ultimate conclusions like these, may find an obvious secondary cause for the tenacious vitality of the old Church.

It was a department, and perhaps the most complete and powerful department, in that great Empire which had for so many hundred years concentrated to itself all the institutions by which civilised men were ruled. When we see how the secular institutions of the Empire have lived among us, there can be no wonder that the ecclesiastical side of the Empire had strong elements of life. Municipal institutions, Diplomacy, and the daily law of all Europe, except England, were bequests of this Empire. England is even now dropping its clumsy protest against the Justinian jurisprudence, by seeking to make one combined system out of Common law and Equity. Even the fantastic science of heraldry has lived through the attacks of two powerful enemies—ridicule and taxation—and that because it was rooted in the institutions of the Empire as an organisation for fixing the relative rank of every armiger from the emperor to the squire. Had the Romans been a recording people like the Normans, we would all have heard and known more of these things; but their presence is sensibly felt by those who study the middle ages, not in the histories of these ages, but in the sources of their history.

The civil or secular side of the Empire had been re-

peatedly shaken, while the ecclesiastical flourished in peace and prosperity. It was unshaken till the Reformation came, and this carried off its separate portion, leaving the remainder only the more vigilant and cautious, as the result of the struggle. Among Protestants, or seceders from Rome, there might be isolated bodies from time to time in the secluded valleys of the Alps, or the equally inaccessible marshes of Holland; but they had not the apparatus of combination or central action. The countless "heresies," according to the annals of the Popedom, springing up from time to time and disappearing, are the testimonies to so many isolated attempts at religious emancipation quietly smothered by the great organisation against which they struggled. But the adherent of the old Church in any part of Europe, from Norway to the Black Sea and the Mediterranean, however much he might seem isolated by Protestantism, could reach the great corporation whose central rule was in the heart of Europe. If there came a blank, a broken link, in the hierarchical organisation by which the adherents of the faith were kept together and served, there were those in reserve who could immediately fill it. With great patience, skill, and capacity for working in secret, the missionaries—Jesuits or "trafficking priests"—thus kept their hierarchy alive through all dangers and difficulties.

The adherents of the old Church had of course their peculiar devotional literature. Old books of devotion are, as collectors know, peculiarly rare, from their liability to be thumbed out of existence. But the books of a prevalent Church had chances of life denied to those of a repressed community. A breviary or missal was a dangerous possession, and such books

found no place of refuge in public institutions or the libraries of miscellaneous collectors. Since the Reformation the printing of Popish literature had not been tolerated, and no such books appeared as the produce of the native press after the catechism known as Hamilton's and the "Twopenny Faith."[1] The separate breviarian "Uses"—such as that of Salisbury for England, and the Aberdeen Breviary for Scotland—were superseded by the Breviary and other standards issued by the Council of Trent. Of these no separate edition was required for Scotland, and those who ventured to possess copies of them would seek them abroad.

But it was part of the policy of the Church of Rome to fight its battles in popular vernacular literature. We have seen how the Church of the Reformation in Germany expressed its devotion in vocal praise through vernacular songs and hymns. The old Church competed for popularity in the same form; and which had the better of the competition in the literary or æsthetic sense, is matter of open criticism.[2]

Ninian Winzet, Quentin Kennedy the Abbot of Crossraguel, and John Tyrie, known as "Tyrie the Jesuit," obtained somewhat of a historic notoriety as men who had measured swords with John Knox. The great battle over, and the parties to it holding the relation of conquerors and conquered, the voice of this latter ceased to be so loud as to have a share in

[1] See chapter xxxvii.

[2] Among the oldest of the Romish vernacular hymn-books appears to be 'Ein neu Gesangbüchlin geystlicher Lieder, vor alle gutthe Christen nach Ordennung Christlicher Kirchen. Leipzich, 1537.' Reprinted, Hanover, 1853. One might read a considerable portion of this collection without noting the marks which appropriate it to a school opposite from that of the Lutheran hymns.

history. It can only be traced in a few books of extreme rarity.

John Hay, a Jesuit father, of the family of Dalgetty, in Aberdeenshire, put a bundle of questions, two hundred and five in number, to the clergy of the new religion, beginning with one often put in the great controversy — Did the Protestants believe that all their ancestors who died before the reformation of religion were assuredly damned to all eternity, or did they not?[1]

John Hamilton, a secular priest, has already been referred to as a renowned assassin. But he had that subtle gift, the empire over language; and the words came to him at his bidding,—words expressive of Christian meekness, humility, charity, and all that might seem appropriate rather to the secluded anchorite than to the man of storm and strife—the renowned champion of the Catholic league.[2]

[1] In the German 'Zu ewigen Zeiten verdampt seyn, oder nicht.' I have not been able to trace a copy of an edition of this book in the Scots vernacular. That there ever was one is only known from the title of the French translation: 'Demandes Faictes aux Ministres d'Escosse touchant la Religion Chrestienne, par M. Jean Hay d'Escosse, de la Compagnie de Jésus, Professeur en Théologie, et Doyen des Arts, en l'Université de Tournon, Reveues et de l'Ecossois mises en Langue François. 1595.' The only copy of this translation known to me is in the Advocates' Library. In a small bookshop in Berlin I happened to find a contemporary German translation: 'Fragstuck des Christlichen Glaubens, an die nieuwe Scotisch Predigkandten, erstlich durch den hochgelehrten H. Johann Hayum auss Schotten der Societat Jesu Theologum Franzosisch beschriben, demnach duch Sebastian Werzo Pfurz Pfurzherzn zu Freyburg in das Teutsch gebracht. Freybourg, 1585.' As the French title-page carries a later date, there must have been at least two translations or editions in French.

[2] It is a strange transition to pass from that wild scene in the French histories where Hamilton hangs the jurist Barnabé Brissot in the Hôtel de Ville, to his little book of prayers and meditations, and to suppose him ruminating on such passages as this, when he returned from his work: "Ane Evening Prayer."—"I render most humble thanks to your

For the chief book of devotion in use among the adherents of the old Church in Scotland, we must look to a foreign authorship. Peter van Hondt, a native of Nimeguen, was the first Provincial of the

divine majesty, most gracious God, wha of your free mercy has conservit me in health and prosperity this day, and preserved me from all danger of body and soul, and brought me to the soft repose of this night, to refresh my tired body and recreate my weary spirit after the day's pains and travails of my lawful vocation. Forgive me, Father of all pity, all my sins and negligences I have committed this day, either by thought, word, or deed. Receive me to your mercy, and grant that I may rest this night in peace and security under the favourable wings of your mighty protection. Defend me against all the ambushments, incursions, and invasions of all my enemies, visibles and invisibles. Preserve me from all dangers of body and soul: be unto me ane God, ane protector, and ane strong tower to save and defend me against all external forces; for ye are my rock and defence—ye are my refuge and fortress against all my enemies." "Grant to me, most merciful Father, the peace and tranquillity of this night's rest, that at my joyful wakening I may render to you humble thanks for my soft repose, and rise the morne with a joyful heart, to travail in my lawful vocation, and magnify your haly name, to merit after this life to repose in you eternally, through Jesus Christ our Lord, wha lives and reigns with you in unity with the Haly Spirit, for ever and ever."

The following stanzas belong to a hymn "On the true use of the Crucifix," accompanying the prayers in Hamilton's book. Whether it be his own composition or another's, it may be counted in poetic merit above the mediocrity of the religious versification of the day:—

"In passing by the crucifix,
Adore upon thy knee,
Nocht it, but Christ, whom it presents,
With all humility;
For God is He whom it respects—
No image God can be.
Adore what thou beholds in it—
Take it for memory.

. . . . . .

Then when ye see the crucifix,
Give praise to Christ, I say,
Ye guid and constant Catholics,
In hymns and cantiques aye;
Wha by His figure on the cross
Presents unto your eyes
His wounds, His form, His passions,
His bloody sacrifice."

These passages are taken from a thick duodecimo volume called 'A

Jesuits for the Teutonic or German nations; and among the illustrious names of the order, his stood next to that of Ignatius Loyola himself, as the missionary who carried the new organisation into northern Europe. His name, translated from Walloon into English, would mean "of the dog," or doggish. Hence, in the whimsical method of the period, he took in his books and public life the Latinised name of Canisius. By this he was known in his day, and is still known over all the communities adhering to the Church of Rome as the author of the Larger and the Smaller Catechisms of Canisius.[1]

In 1588 there was printed in Paris a translation of the Smaller Catechism by Peter King, a Scotsman, and a native of Edinburgh. It has an ample calendar, and tables for calculating the time of high water at the various ports of Scotland as far as Orkney. From these and other adjuncts, showing that the volume was adapted to practical life—to serve as an almanac

facile Treatise, contenand, first, Ane infalible Reul to discerne Treu from False Religion; nixt, A Declaration of the Nature, Numbre, Verteu, and Effects of the Sacraments; togidder with certain Prayers of Devotion. Louvain, 1600.' The contents of this volume are heterogeneous. Among them are expositions of mistranslations in the Geneva version of the Bible which can only be estimated by Biblical and Oriental scholars. This part of the book is wound up by a curious admonition as appropriate to the partiality of the Scots to the Geneva Bible: "Therefore, I beseek you, dissaivet people, to burn your corrupt Scots Bible in the fire, that your sauls be not tormentit with the intolerable pains of the fires of hell. This was the only cause why our Catholic bishops forbade the reading of the English Bible, that the corruptions thereof should not infect their sauls to that eternal perdition."

[1] In the Dictionnaire Historique of the Abbé de Feller—the best biographical and bibliographical work of reference as to Romanist ecclesiastics—it is said, "Il y a peu de livres qui aient été si souvent imprimés, et traduits en tant de langues différentes."

as well as a book of devotion — we may believe that it was the indispensable devotional manual of those adherents of the old Church in Scotland who were not rich enough or learned enough to use the Breviary.

In the Popish literature of Scotland some quarter of a century after the Reformation a new feature becomes visible. Before the year 1580 the new Church had lived long enough to send over proselytes to the old. The clerical convert is not always a valuable bargain. Full of the impatient zeal peculiar to his position, he was especially disqualified for service in a clerical army trained to pursue with skill and patience a subtle tactic bequeathed through centuries of tradition. In the early stage of the dispute the acrimony had been chiefly on the Protestant side. Lack of zeal was at the beginning among the heaviest imputations against the clergy of the old Church. They had, in fact, in many instances, no greater amount of that quality than was needed to induce its owner to accept of a rich benefice burdened with a few restrictive conditions. No doubt the priests, who showed the better temper, would have handed over the heretics to the civil power to be burned; but this would not have been from personal rancour, but the fulfilment of a great public policy, associated with the theory that the fire in this world neutralised the doom to eternal fiery torture in the next. Afterwards the bitterness went over from the other to their side, and was aggravated in the transition. Nothing was so injurious to the personal position and character of the Romish clergy in Scotland as the foul calumnies repeated by them against John Knox; and the earliest

to trumpet these were two proselyte priests—Archibald Hamilton and Nicol Burne.[1]

These casual features of the condition of the old Church are brought up as introductory to the tragedy

[1] Hamilton was the author of 'Dialogus de Confusione Sectæ Calvinianæ apud Scotica Ecclesiæ Nomen ridicule usurpantis, Paris, 1577,' and of an Answer to an Opponent, printed in 1581. Dr M'Crie says Hamilton "left Scotland, and, going to France, made a recantation of the Protestant religion. As an evidence of the sincerity of his conversion to Popery, he published 'De Confusione,' &c., a book which I have frequently referred to, and which strikingly exemplifies the adage, 'Omnis apostata osor acerrimus sui ordinis.'"—Works, i. 258.

Burne wrote in the vernacular, and his book, like the others of the same kind, is full of the odd misprints incidental to a foreign press. It is called 'The Dispvtation concerning the Controversit Headdis of Religion, haldin in the Realme of Scotland the zeir of God ane thousand fyue hundreth fourscoir zeiris, betuix the pretendit Ministeris of the deformed Kirk in Scotland and Nicol Burne, Professor of Philosophie in S. Leonardis College, in the Citie of Sanctandrois, brocht vp from his tender eage in the peruersit sect of the Caluinistis, and nou, be ane special grace of God, ane membre of the halie and Catholik Kirk. Dedicat to his Souerane the Kingis M. of Scotland, King Iames the Saxt.' He says of his personal history: "Concerning my auin persone, I'vas brocht up from my tender eage in the doctrine of Caluine, quhilk of lait dayis hes bene recauit in the realme of Scotland be the preaching of Schir Ioann Kmnox, and did follou it vith na les affectione and zeal nor did the rest, quhil the tyme it pleased God throuch reiding of sum Catholik vryttaris to illuminat my hairt, and lat me planelie vnderstand that sik doctrine vas nocht that quhilk vas preachit be Christ and His apostlis, and hes euer bene mentened be al Christianis sen thair dayis, bot onlie ane collectit mass of auld and condemnit hæreseis, quhilk, quhen I vas thair present, I obleised me to defend, and proue befoir the General Assemblie of Scotland, declairing my self maist villing to suffer puneishment, vnles be the grace of God I performed that quhilk I had tane in hand. Askand of ane minister callit Smeton, in Paislay, that I micht haue frie access to thair General Assemblie to be conuenit in Edinburgh schortlie thaireftir; to the quhilk petition (as he him self can not deny) he could ansuere na thing bot that it vas maist iust, and promeist to me vpon his fayth and treuth that I sould haue frie access thairto." He conducted his debate with a smaller audience than the Assembly, and complained that he was treacherously apprehended, and imprisoned in the Tolbooth of Edinburgh from the 15th of October 1580 till the end of the ensuing January. He gives the following account of his treatment there by his enemies, who, "being brint vith ane insatiabil thrist of my

already alluded to. In 1615 a martyr was made of a Jesuit missionary. He had been caught in Glasgow with a few trifling articles in his possession, and it was shown that he had been busily endeavouring to propagate his faith. The case was referred to the king, whose instruction was, that "if nothing could be found but that he was a Jesuit, they should banish him the country, and inhibit him to return without licence under pain of death. But if it should appear that he had been a practiser for the stirring up of subjects to rebellion, or did maintain the Pope's transcendent power over kings, and refused to take the oath of allegiance, they should leave him to the course of law and justice." It is difficult to identify the tribunal which dealt with him. It was not the High Court of Justiciary, and appears to have been a mixed commission of prelates and laymen issuing from the Court

bluid, inuentit ane neu stratagem, proposing, by zour M. vil and intelligence, to haue hungred me to death, be debarring al access of freindis quha var villing to supplie my necessitie. And quhen extreme danger of famine constrainit me to hing ouer ane purse at the Tolbuith vindo, to craif almous for Christis saik, thay, persauing the reuth and compassion of godlie and cheritable people, quha bestouit thair almous on me maist liberalie, causit cut doun the purse. And althocht thay commandit the IayVler to impesch my letteris of supplicatione, quhairin I micht haue requirit that quhilk vas conforme to æquitie, zit God sua mouit his hairt that he præsentit ane requeist of myne to the prouoste and honorable concile of Edinburgh for licence to beg almous, quhairbie I micht be sustenit: the quhilk albeit it vas grantit be the discretion of the prouoste and honorable concile, zit the ministeris obtenit ane discharge forbidding that I sould ask support in the name of ane schollar, or affix onie letter vpon the purse for signification of my indigence; bot nochtuithstanding al thair raige conceaued aganis me, and inuie quhilk thay bure aganis my fauoraris, cheritabil personis gaif me of thair almous maist largelie, for declaration of the erneast desyre quhilk thay had of the extirpation of thair seditious hæresie, and the imbraceing of the treu Catholik religion agane, quhom I pray the Lord to recompanse quhen He sal distribut to al men according to thair doingis in this varld."

of the Secret Council, and rendering its proceedings to that body. The method of procedure was the same that is so frequently condemned by Protestants in the holy Court of the Inquisition. It dealt not merely with the sayings and actions that had been proved against the man, but endeavoured, with subtle and cruel labour, to extract the secrets of his heart. On the first application of this process he showed "nothing but a pertinacious refusal to answer in points most reasonable." His examiners having experience in the instance of other offenders, "that nothing helped more to find out the truth of the faults wherewith they were charged than the withholding of their natural rest, it was advised that he should be kept without sleep for some nights, which was accordingly done; and during which time it was perceived that he remitted much of his former obstinacy."

In the end, indeed, he became more explicit than his tormentors found to be desirable. The king had sent down a set of questions, probing to their minutest corner his opinions on the power of the Court of Rome over temporal sovereigns. In these the Jesuit saw before him the chances of winning the crown of martyrdom. He won it, and wore it as manfully as any Protestant victim. "As to your Acts of Parliament," he said, "they were made by a number of partial men, and of matters not subject to their forum or judicatory, for which I will not give a rotten fig. And where I am said to be an enemy to the king's authority, I know not what authority he hath but what he received from his predecessors, who acknowledged the Pope of Rome his jurisdiction. If the king will be to me as his predecessors were to mine, I will obey and

acknowledge him for my king; but if he do otherwise, and play the runagate from God, as he and you all do, I will not acknowledge him more than this old hat." On being harder pressed, he retaliated with a sharp touch to an assailable point on the other side: "I am accused for declining the king's authority, and will do it still in matters of religion; for with such matters he hath nothing to do. And this which I say the best of your ministers do maintain, and, if they be wise, will continue in the same mind." It was amongst the king's instructions that distinct answers should be extracted from him on the two questions, Whether the Pope could excommunicate and depose the king? and, "Whether it be no murther to slay his majesty, being so excommunicated and deposed by the Pope?" Archbishop Spottiswood tried to put this critical question so as to give opportunity for evading a rigid answer, but he failed. "But I hope," said the archbishop, "you will not make this a controversy of religion, whether the king, being deposed by the Pope, may be lawfully killed." To this he replied: "It is a question among the doctors of the Church. Many hold the affirmative not improbably; but as that point is not yet determined, so, if it shall be concluded, I will give my life in defence of it; and to call it unlawful I will not, though I should save my life by saying it." A jury returned a verdict of guilty against him, and he was immediately hanged.[1]

It is an established traditional practice with polemical controversialists, when it falls to their lot to

[1] Pitcairn, iii. 330 *et seq.*; Spottiswood, 522, 523. Spottiswood's account of the matter is the more instructive that he was one of the judges on the commission.

get over such an event, to explain how the punishment was for a political offence, so that no odour of religious intolerance attaches to it. Such reasoning only darkens and perplexes history. That the institutions of the age and country permitted such a deed to be done, seem to be facts entirely sufficient to enable every man who reads of it to judge of it.

That the judicial record of the proceedings has been lost must be regretted with other like losses. It is fortunate, however, that in this age we have rescued a large portion of the judicial records of that age—a portion sufficient for checking and correcting an indolent tone of historical writing, which speaks of acts such as this as if they were the doing of the monarch and his executive government through the mere force of the royal prerogative. Scotland was essentially a constitutional government. The king's will had no doubt great weight, and acts of cruelty and injustice were perpetrated at his desire as well as through the personal influence of other powerful men. But we may be assured that, in form at least, what was done was the act of constituted tribunals. In this instance there was a verdict of a jury; and whatever character we may give to the act, we must remember that others were implicated in it besides the king and his immediate ministers.

If we may judge from the annals and correspondence of the day, and especially from the troubles of those to whom Popery was chiefly an object of dread and horror, Scotland never was so infested by prowling Jesuits and traffickers as after this event. There were, in fact, in the old Church, many ardent spirits seeking martyrdom; and the rumour had gone forth

that Scotland was a country in which that could be found.

And looking towards mere Protestant politics, it is easy to see that the martyrdom of the Jesuit was a sheer waste of cruelty. It would have done far more to appease the High Presbyterian party had Ogilvie and a group of his brethren been teased with minor persecutions on purely theological grounds. This poor creature brought on his fate, not by perpetrating the idolatry of the mass, but by abjuring the idolatry of the king. The historical organ of that party passes the event with these arid and thankless remarks: "Some interpreted this execution to have proceeded rather of a care to bless the king's government than of ane sincere hatred to the Popish religion. Some deemed that it was done to be a terror to the sincerer sort of the ministers not to decline the king's authority in any cause whatever. He was the first priest or Jesuit who was executed since the bastard Bishop of St Andrews was hanged." [1]

In fact a slight act of leniency, awarded in a questionable shape soon afterwards, more than neutralised this act of severity against the old faith. The Popish lords, after their reconciliation to the Church, became little less troublesome to its zealous members than they had been before. Huntly especially was believed to harbour refugees and missionaries, and to be at his leisure conducting all manner of dangerous intrigues within those northern dominions, in which the Acts neither of the Church nor of the king were of much avail, and a seminary priest was safer from molestation than the ambassadors empowered to give effect to the

[1] Calderwood, vii. 196.

decrees of the Church. At length, in 1606, he was again laid under excommunication. This was ever a serious position to hold, because it gave the State legal power over the person and property of him who was under the Church's curse; and however the head of the State smiled on him for the time, the victim could not insure himself against the mutability of courts. In the midst of a harassing succession of negotiations for the removal of the excommunication, news one day reached the zealots that it had become an empty sound; for the Archbishop of Canterbury had dissolved it, and granted absolution to the Marquess of Huntly. The archbishop explained his reasons for the act, and his justification does credit to his powers of practical logic. By granting to the marquess such remedy as those who laid on the excommunication could have granted, the English hierarchy acknowledged the excommunication to have been a legitimate act of "the Church." Had they considered it not to possess that quality, they would have simply disregarded it. And so, acknowledging it to be virtually their own act, had they not the power to grant a release from it on sufficient cause? No doubt, however, awkward difficulties might have arisen had any civil right come to depend on the question, whether the Scots excommunication existed or was dissolved. The new hierarchy took what was in a worldly sense the wisest course open to them by confirming or repeating the absolution.[1]

At this period, and before they felt the full weight of their enemy's hand, the zealous party were wounded, as it were, in the house of their friends. In 1616 a General Assembly was held at Aberdeen. There the

[1] Original Letters (Bannatyne Club), 471 *et seq.*

clergy of the north naturally preponderated; and the few who had been zealous enough to travel from the south side of the Tay, found themselves so few and feeble that they abandoned any effort at war. The bishop stepped into the moderator's chair and ruled the meeting; and "a number of lords and barons decored the Assembly with silks and satins, but without lawful commission to vote." Though it made no strong contemporary impression, this Assembly was afterwards often referred to, because a resolution passed by it for uniformity of discipline was said to be fulfilled when King Charles proclaimed his ecclesiastical canons; and the still more notorious Liturgy of 1637 was held to have been initiated in a resolution, "That a liturgy be made, and form of divine service, which shall be read in every church in common prayer, and before preaching, every Sabbath."[1]

To return to secular politics—it would be hard to find conditions more inimical to order, progress, and civilisation, than those endured by Scotland while King James reigned there, but not in England. Except for the few years of Morton's iron rule, it was the question of the Roman satirist, Who was to keep in order those charged with the ordering of the people? These could scarcely do worse than act on the model of their rulers. Through the State papers, the memoirs, and other documents revealing the internal condition of the country after the accession to the English throne, it is easy to perceive the gradual work of the regulating and consolidating influence of a strengthened executive. Sir Thomas Hamilton, Lord Binning, the founder of the noble house of Haddington, was a man

[1] Calderwood, vii. 222 *et seq.*

of ability as a statesman and lawyer. He rose to the head of the law, and was a chief instrument in working out the improvement of the social condition of the country. His memory is connected with questionable stretches of the prerogative; and he was among the first to create a reasonable alarm that the new powers of the Crown would be dangerous to the liberty of the people. But whether in the right manner or not, he acted the part of a civilising and advancing statesman. That he had capacities of another kind—those of the orator powerful in condensation and description—is shown in the following social picture: "The Islanders oppressed the Highlandmen; the Highlanders tyrannised over their Lowland neighbours; the powerful and violent in the country domineered over the lives and goods of their weak neighbours; the Borderers triumphed in the impunity of their violences to the ports of Edinburgh; that treasons, murthers, burnings, thefts, reifs, heirships, hocking of oxen, breaking of mills, destroying of growing corns, and barbarities of all sorts, were exercised in all parts of the country—no place nor person being exempt or inviolable—Edinburgh being the ordinary place of butchery, revenge, and daily fights; the parish churches and churchyards being more frequented upon the Sunday for advantages of neighbourly malice and mischief nor for God's service; noblemen, barons, gentlemen, and people of all sorts, being slaughtered as it were in public and uncontrollable hostilities; merchants robbed and left for dead in daylight, going to their markets and fairs of Montrose, Wigtown, and Berwick; ministers being dirked in Stirling, buried quick in Liddesdale, and murthered in Galloway; merchants of Edinburgh

being waited in their passage to Leith to be made prisoners and ransomed."[1] Such—in a speech delivered in the Estates in the year 1616—was Scotland at the union of the crowns. The orator has to say further, that these, "and all other abominations, which, settled by inveterate custom and impunity, appeared to be of desperate remeid, had been so repressed, punished, and abolished by your majesty's care, power, and expenses, as no nation on earth could now compare with our prosperities, whereby we were bound to retribute to your majesty if it were the very half of our heart's blood."

Another observer speaks briefly but emphatically of "the deadly feuds, which so abound as no man can safely go a mile from his house."[2]

[1] The Melros Papers, i. 273. One might suppose that at this, if at any time, occurred the incidents commemorated in an old song, full of Scottish character:—

> "Was there e'er sic a parish, a parish, a parish—
> Was there e'er sic a parish as Little Dunkell;
> Where they sticket the minister, hanged the precentor,
> Dang doon the steeple, and drank the bell?"

[2] Letters of John Colville, 188. This collection, printed for the Bannatyne Club, has been occasionally referred to; and the present is as good an opportunity as any other for a brief notice of the person who provided the bulk of its material. John Colville was one of those active fussy politicians who are ever at work, and yet not so effectively or influentially as to give a character to politics and hold a place in history. He exemplified the fable of the fly on the wheel supposing that it contributed to the motion of the vehicle. He was employed by the English statesmen to send them information of events and rumours in Scotland. His letters are very full of matter, all with a mysterious air of importance in it, but of little value. His rumours are more worthless than most of those which professed to communicate the shadow of coming events to strangers; and when we come to actual events, we know them without his telling. Perhaps there was value at the time in a sort of political encyclopædia prepared by him and an Englishman named Lock: it specified all the men of power and mark in Scotland, and, by a sort of genealogical horoscope of their connections and position, anticipated the course they were likely to pursue under given conditions. He did suc-

In the course of the preceding narrative, some of these characteristics have come forth incidentally. A separate record of slaughters and other acts of violence has little interest, unless each can be told with the sequence and minuteness of a novel, and for that there is no room in history. We have seen the violences and other atrocities perpetrated for political objects, and the following incident may be sufficient to show how far absolute lawlessness could be stretched for objects not political. Alexander Gibson of Durie, known to practical lawyers as a reporter of decisions, resided in Fife, the safest and most peaceable district of Scotland, being protected by one firth from the Highlanders and by another from the Borderers. He was strolling one day along the sea-beach near his own house, when he was seized and gagged by a party of Borderers, carried over the Forth to Leith, thence to Edinburgh, through Melrose to the Border, and across into England. He was detained eight days in the Castle of Harbottle, in

ceed on one occasion in obtaining notoriety by publishing 'The Palinod of John Colville, wherein he doth penitently recant his former proud offences, specially that treasonable Discourse lately made by him against the undoubted and undeniable title of his dread Sovereign Lord King James the Sixth unto the Crown of England after decease of her Majesty present. 1600.' Now no one could discover "that treasonable discourse lately made by him," about which he was so penitent; and it was believed that the confession was an invention to entrap more notice to his vindication of the right of succession than it might otherwise receive. David Laing, founding on comparative criticism, identifies in Colville the author of 'Historie and Life of James the Sext,' occasionally referred to in these pages as a book not invariably to be trusted. The same accurate antiquary thinks also that Colville wrote the declaration issued in their vindication by the actors in the Raid of Ruthven (vol. v. 449). Several contemporary writers charge him with treachery on the fall of his patron Bothwell, and especially with the capture of Bothwell's illegitimate brother, who was hanged in Edinburgh. He is a fair specimen of what evil times make out of unheroic natures united with easy consciences.

absolute seclusion and ignorance of the part of the world in which he was. His family mourned for him as dead, and it was said that he found a successor in his office. He was not yet a Lord of Session, but he held some legal office; and the motive attributed to Christie's Will—the Borderer who thus spirited him off—was to obtain a legal decision of a kind to which the presence of Gibson of Durie in Edinburgh was deemed to be inimical.[1]

The turbulence prevalent throughout the land culminated in two districts—the Borders and the Highlands. On the Scots side the Border thieves seem to have aggravated their activity down to the period of the accession, as if they felt like him who was going about with great wrath because he knew that his time was short. On the English side of the middle marches an account of the standing-over unredressed depredations on the Scots side was made up. It is an enormous inventory of cattle, sheep, and household furniture—a very tedious document; but its tediousness impresses one with the enormity of the plunder made, and excites wonder how, if the raids were pursued on such a scale during the long period when such work went on, there should have remained anything to be taken. Acts of violence and ferocity, too, usually accompany the transfer of goods—as, "Elsdon and Farnclouth, the chief town of Ridsdale, were burnt by five hundred of Lidsdale, and herried, and four men murdered in their house, a hundred beasts carried away, and in the pursuit thereof were a hundred men taken prisoners and seven slain, and sixty horse lost." And such scenes, it would appear, might have passed

[1] Pitcairn, ii. 429; Chambers's Domestic Annals, i. 355.

unnoticed at a distance, and unrecorded, but for the making up of the inventory.[1]

In the year 1608, Lord Dunfermline, the Chancellor, reports to the king, chiefly in reference to the services of the Earl of Dunbar: "He has had special care to repress, both in the in-country and on the Borders, the insolence of all the proud bangsters, oppressors, and Nimrods; but regard or respect to any of them has purged the Borders of all the chiefest malefactors, robbers, and brigands as were wont to reign and triumph there, as clean, and by as great wisdom and policy, as Hercules sometime is written to have purged Augeas, the King of Elide, his escuries; and by the cutting off by the sword of justice and your majesty's authority and laws, the Laird of Tynwell, Maxwell, sindry Douglases, Johnstones, Jardines, Armstrongs, Betisons, and such other *magni nominis luces*, in that broken parts, has rendered all these ways and passages betwixt your majesty's kingdom of Scotland and Eng-

[1] 'A Booke of the Losses in the Middle Marches of England by the Scots Theefs;' Newcastle Reprints of Rare Tracts and Imprints of Ancient Manuscripts. Though the southern Scots and the Northumbrians were of old under one government, and retain strong marks of common origin, yet it was natural that while such things were, the English near the Borders should hate the Scots. Newcastle, the capital of the district, excluded them from the capacity to acquire municipal privileges: "The years of every such Scot, touching his apprenticeship, so taken, to be utterly void and of none effect; and likewise that no man or Scot born in Scotland shall be admitted to be made free by composition or agreement in the fellowship in any manner of wise." In the place where this is preserved it is said that after the accession "we trace many names of Scottish origin." Still the prejudice against the Scot lived for several years; and it is told how Henry Crawlington, a worthy glover of Newcastle, when he quarrelled with his brother freeman, Mungo Douglas, who was apprehended in 1625, taxed him with "having run out of Scotland and denied his name to get the freedom of the town."—Relation of a Short Survey of Twenty-six Counties; Newcastle Reprints, 25, n.

land as free and peaceable as is recorded Phœbus in auld times made free and open the ways to his own oracle in Delphos, and to his Pythic plays and ceremonies by the destruction of Phorbas and his Phlegiens—all thieves, voleurs, bandstirs, and throat-cutters. These parts are now, I may assure your majesty, as lawful, as peaceable, and as quiet as any part in any civil kingdom in Christianity. All this is done quietly, suddenly, and in short space—but any harm, trouble, hazard, or grief to any good subject. All is done in your sacred majesty's name and authority—all by your princely commandment and instruction."[1]

Perhaps this golden age was not so absolutely pure and unalloyed as the obsequious courtier described it. In a document that might be an answer to his eulogy, we are told how "the little intermission of justice courts whilk hath been since his lordship's departure, and appearance of lenity, has made them so insolent that there is nothing whilk they dare not attempt. The dishonour of God His Word and ministry both practised; disobedience to your highness' laws no fault, for the Earl of Dunbar, they say, and his depute-commissioners will not intermeddle with any matters but only new thefts. He that can raise fire secretly and unknown shall not leave it undone. Wild incests, adulteries, convocation of the lieges, shooting and wearing of hacbuts, pistols, and lances, daily bloodsheds, oppression, and disobedience in civil matters, neither are nor has been punished."[2] Yet the two papers are not quite inconsistent. A great system may be broken; but

[1] Letters and State Papers of the Reign of James VI., 172.

[1] Ibid., 179; document called "The Inhabitants of the late Borders of Scotland to King James the Sixth."

its ministers are what it has made them, and their habits will break loose during relaxations of the restraint that is gradually binding them to order. At the end of the Thirty Years' War, then begun, there was much turbulence and ruffianism; but they were a trifle in the balance with the horrors of the war itself. Naturally it took a generation to cure the Borderers of their habits, however little opportunity was left for their practice on a great scale. There were ruffians there when the two great antiquaries Camden and Cotton were examining the Roman wall—probably near the end of the first quarter of the seventeenth century. They feared to visit Busygap, on the English side of the Border, "for the rank robbers thereabouts."[1]

The condition of the Highlanders, and their relation to the other inhabitants of Scotland, was the largest social anomaly of the day, and was the object of the most comprehensive of the attempts to ameliorate social evils. The destiny of this peculiar people, as it has come up from time to time in the course of our narrative, is surely one of the strangest and most eventful in all history. We find them migrating over from Ireland to plant civilisation and religion among the barbarous people of the country to which they were to give a name. They are brought to ruin by the devastations of the northern marauders. The representative of their line of kings moves eastward and becomes the sovereign of Lowland Scotland, while the Scandinavian leaders endeavour to found a State of their own in the Lordship of the Isles. After a long contest, the Crown of Scotland asserts a supremacy; but it is enforced through the power of great territorial houses,

[1] Bruce's Roman Wall, 178.

whose heads are the real local kings. Coming from Ireland as Celts, there fell to be mixed with them some of the blood of the invading Scandinavians. It would appear that such mixture of a stronger element with the Celtic races tends to bring the strength and determination of the stronger to the aggravation of the wayward, turbulent, and mischievous propensities of the weaker, as in the English of the Pale, who were said to have become more Irish than the Irish themselves.

The longer such a people lived beside the busy progressive Lowlander, the more emphatic became the contrast between the two. There was an old element of similarity between the Highlander and the Borderer in this, that both of them indulged in theft. The Borderer, however, was by nature a utilitarian and a tradesman. He drove the beeves of the English because it was the most profitable business he could engage in; when the profession ceased to pay he dropped it. But it was the nature of the Highlanders to be idle, and feed on the produce of other men's labours. It was the necessities of this nature that withdrew them from the Lowland districts, as those whose nature it was to cultivate the ground pressed in on them. The physical geography of the Highlands shows features valuable in assisting the purpose of the Celt. The mountains, especially in the south-west, rise steeply and abruptly from the plains. The surface of the interior seems to have formed successions of basins; and when the waters of these pressed for an outlet, they found it in breaking through the side of the basin and tumbling into the Lowlands. Hence it happens that the rockiest and most inaccessible parts

of the Highlands are the gates opening on the Lowlands, familiarly known as passes. The Highlanders, perched on the crags grouping round Loch Lomond, could look down on the Lennox farmers rearing the herds and flocks which they hoped to make their own.

The Borderers had for some years reaped the most abundant harvests ever known to them, through the rapidly-succeeding convulsions of the country, when the Union brought a sudden check to their occupation. It could not change the nature of the men at once, and draft them into the ranks of the peaceful productive classes. The debatable land, and the other Border districts, continued, as we have seen, to have an evil reputation for a generation, and perhaps longer. But for a century after marauding had ceased there, large creachs of prey were driven by the Highlanders; and the practice was only suppressed by sheer force after the last Jacobite insurrection.

Thus interest as well as nature widened the severance between the two races. The Lowlander was industrious, turning all things surrounding him to such profitable account as they were available for. The land was then, of course, the chief source of wealth. Though impeded by cumbrous feudal conditions, he subjected it in some measure to the law of commerce, turning it to account as tenant when he was not so fortunate as to deal with it as landlord. Possession in the ground was a condition which the Celt was too little of a man of business to realise; still less could he understand the arrangement by which one man was its owner, while another occupied and tilled it—and this is a peculiarity of the Celtic nature, such as, after having for centuries given trouble to the rest of the

empire, has reserved a share for those who have to deal with such difficulties at the present day. The Lowlander, self-relying, gave as little effect as he could to the feudal restraints that bound him to a leader. The Highlander could not do without one. He naturally clung to any man whom nature placed in a position to command him; and if he could not find a strong-handed warrior to take the lead, he would follow a priest or a Presbyterian minister. The law was so adjusted to this necessity in the Celt's character, that it was through his leader only that he received the law's protection and service. The clan that had not some chief, who was also in a secured social position as a man of rank or a gentleman, to be "cautioner" or surety for their conduct, was "a broken clan," liable to be hunted and killed. The chief robber clans—the cateran—were of this class, and continual bloodshed was a necessity of their existence. For ferocious acts, retaliated by a parallel ferocity, the MacGregors became conspicuous above all other tribes. Their territories were in that mountain district referred to as closely bordering the south-western Lowlands. The place that was at once their stronghold and their larder was Island Varnach, in Loch Katrine, now known to all the tourist tribe as Ellen's Isle. With a small navy of boats on the loch, and the ability to protect it from the encroachment of hostile vessels, they here found security for themselves and their plunder.[1]

[1] It is difficult, however, to believe in the number of animals detained at one time in this island, in terms of an indictment against those "assisting and taking part with the rebels and fugitives that took to the isle called Ilan Varnach, and taking into the said isle of eight score kine and oxen, eighteen score sheep and goats, stolen, reft, and away-taken from the inhabitants of the country about," "whilk were eaten

A well-known incident brought the ferocity of this tribe under immediate notice at Court. They had a feud with Drummond, the king's deer-keeper, and sought an occasion to kill him. They found it when Drummond was too near their haunts on a mission to lay in venison for the festivals for the reception of King James on his return from Denmark. They cut off his head, and carrying that trophy with them, visited the slain man's sister at the house of her husband, Stewart of Ardvoirlich. It was said that, demanding hospitality, they were offended at the sordidness of the food offered to them—mere bread and cheese—and devised a playful method of exhibiting their feelings. Coming back into the room where they were, the woman saw her brother's bloody head, with the bread and cheese stuffed into its mouth. Even in that wild time such a sight went beyond the endurance of ordinary nerves, and the woman rushed out in a frenzy. The murderers carried their prize to the church of Balquhidder, and thither the men of the clan came at large, each laying his hand on the head, and solemnly vowing support to the doers of the deed. The Government followed the usual policy of cheap retribution, by rousing the neighbours and natural enemies of the MacGregors to vengeance under the leadership of Argyle. But the MacGregors proved that they were not to be hunted with impunity. With the assistance of other broken clans, they marched in 1604 to Glenfruin, a half-Highland valley, and there fought something like a

and slain by them within the said island."—Pitcairn, iii. 232. The island must have been a mighty shambles, where animal flesh lay strewn in many conditions of offensiveness; and perhaps it was to the organic matter thus heaped on it that the island obtained the luxuriance of vegetation for which it is renowned.

stricken field, to the defeat of their Lowland enemies with great slaughter. This of course deepened the ferocity of the retaliation. Like the wolf, a MacGregor caught in any kind of trap was his captor's fair game. It is told by an annalist of the day as not a wonderful thing, how Argyle trapped "the notorious thief and rebel Alaster MacGregor, Laird of Glenstrae." Argyle pretended that he only wanted to rid the country of him, and offered to send the robber across the Border with an escort to protect him against his enemies. The escort went with him a short way to England, and brought him back again "to Edinburgh, where he was hanged with many of his kindred."[1]

The practice of the Highlander living on plunder from the Lowlander had not achieved that extensive organisation of later times by which the cattle were conveyed into remote districts. Those seized in the south were thus exchanged for others seized in the north, so that the plundered farmers could not identify their own, and the remote districts of the Highlands partook in the booty as well as those bordering on the Lowlands. It is easy to see how these managed to live in the reign of King James; but for the inhabitants of the far-stretching West Highlands of Argyle, Inverness, and Ross, we must look for other sources of supply, and it is not easy to find them. In the days of the Vikings they were the border of that marine empire of marauders who lived a prosperous life on the sea, with their capital in Dublin. The numerous galleys sculptured on the old tombs in this district attest that those who sleep below were mighty sea-captains. If these mixed with the Celtic inhabitants,

[1] Balfour's Annals, i. 415.

their common descendants degenerated from the old seamanship. The Highlanders have a distaste of the sea, and have been for centuries bad sailors. Through the long line of the western coast, indented with the finest natural harbours in the world, any shipping north of Greenock is a mere incidental trifle. The whalers, when the produce of their fishing was a larger and more important harvest than it now is, used to complete the complement of their crews from Peterhead, Orkney, and Shetland, but never from the Hebrides or the West Highlands.

There seems to have been throughout the reign of King James a resource for such spirit of enterprise as the Highlanders possessed in a quarter where one would not naturally seek for it—in Ireland. It would be useless to attempt to discover the direct causes or the exact times of their migrations to Ulster. The Irish history of the period is signally indistinct and confused, and there was no more to fix attention on the progress of the migration than that people of kindred race sailed over narrow seas and mingled with each other.[1] So close was their intercourse that we hear of Highlanders summoned from Kintyre by signal fires on the opposite coast of Ulster. The one distinct fact is, that the Highlanders gravitated to Ireland, and that the Irish no longer, as of old, gravitated to Scotland. In the Irish annals and State papers the new-comers are called "the Scots." It was no doubt their right name by ancient, but not in its contemporary, acceptation. They were Scots in the use of the obsolete term, just as the Irish themselves were. When they take a distinct place in Irish history, it is as a power, and that of a for-

[1] Carew State Papers, 1586, p. 438.

midable kind, overawing the north of Ireland before the accession. They held some strong fortresses—among them the picturesque Castle of Dunluce and the island of Rathlin. In 1583 we find Sir Henry Sydney reporting to Walsingham how he had "interparlance by commissioners with the Scot Sorly Buy, who had defeated a company of the Earl of Essex's regiment, led by Captain John Norris." "He humbly desired to have again the island of Rathlin, which his ancestors had occupied 140 or 160 years before."[1] So early as 1559 it was an instruction to Essex, as lord-lieutenant, "to endeavour to people Ulster with English, and to recover Lecale, Newry, and Carlingford from the Scots."[2]

[1] Calendar, Carew State Papers, 351.

[2] Cox's History of Ireland, i. 313. Among these Scots settlers in Ulster there appears occasionally a lady whose existence is a genealogical mystery. James M'Connell and his brother, Sorly Buy, were taken prisoners by Shane O'Neil. James died of his wounds. "He had married the Lady Agnes Campbell, daughter of the fourth Earl of Argyle, and by her left six sons and a daughter, none of whom, however, inherited the Antrim property, which was usurped by their uncle, Sorly Buy."—Ulster Archæological Journal, vii. 253. Either before or after this marriage she was the wife of Turloch Lenoch O'Neil, a great chief of the tribe, second only to Shane himself. On 1st March 1583, Sir Henry Sydney wrote to Walsingham about a visit in which Turloch had brought his wife with him:—

"And truly, sir, I found her a good counsellor to him—a well-willer to peace, and a reverent speaker of the queen's majesty. She would still persuade him to content himself to be a subject, and to contain him in all his actions like a loyal subject; alleging many examples of her own country of Scotland, where there was many as great potentates as he was, and her own brother or nephew, the Earl of Argyle (I wot not whether, but daughter she was to an Earl of Argyle), who challenged as much *jura regalia* and other sovereignties as he could, and yet contented themselves to submit their causes to the laws of the realm, and themselves to the king's pleasure. In truth, sir, she was a grave, wise, and well-spoken lady, both in Scotch, English, and French; and very well mannered."—Calendar, Carew MSS., 349, 350.

She was at one time in the hands of the great Shane himself, who

We find that at need the stranger could bring an army of six thousand fighting men into action. Following these into their adopted home gives occasion for a curious historical contrast. Whoever has followed this History so far will see that there is seldom a doubt as to the character and position of the two sides whenever a quarrel comes. The opposing forces are distinctly drawn up, each within its own lines. But in Ireland all is confusion and chaos, every man's hand seeming to be against every other man's. Just one element in the confusion stands apart in its own distinctness—the compact army of Highlanders. They are there in the turmoil like a body of police in the midst of a Donnybrook Fair—their lines dressed, their purpose distinct, amid the surrounding turmoil; but all distinctness disappears if we endeavour to go beyond them, and separate from each other the factions on the heads of which their batons have been laid.

No attempt seems to have been made by diplomacy at the Court of Edinburgh to suppress the migration of the Highlanders to Ireland. On the other hand, they had no privilege of Scottish nationality, and, as at the taking of Rathlin, they were put to death when that method of treatment suited the English policy. There seems, however, to have been a feeling that their presence was not altogether a calamity, and that they were an element in the Irish difficulties capable of some time or other serving a good purpose.

was charged with brutalities against her incredible in any human creature but such as he. As he held the title of Earl of Tyrone, so she was called Countess of Tyrone. No one supplies her place in the ordinary genealogies of the house of Argyle. Her identity puzzles every genealogical antiquary I have mentioned the matter to, including the chief of all—the accomplished Lyon King at Arms.

Throughout the State correspondence of the day there is ever a tone of respect for the strength and capacity of these Highland Scots, however troublesome their presence is sometimes found. In an estimate of the difficulties in Ireland in 1595, and of possible aid to the enemy from Spanish invaders or the Highlanders, it is said of these that "they are a valiant nation, able to endure the miseries of a war better than the Irish, and will be pleased with any entertainment, be it never so little."[1] And again, in a project for securing the services of three thousand of these Highlanders for the suppression of Tyrone's rebellion: "It would be to good purpose for the speedy achieving of this war, they being men fit for the service by reason of their hard breeding, and many other abilities above other nations."[2]

[1] A Discourse of Ireland, by Sir George Carew, 128, 129.

[2] A Declaration by the Lord Deputy and Council, 1596, p. 197. This paper shows, in the curious nature of the purely Irish risks to be avoided in the selection of the Highlanders for such a service, how close was the social intercourse between the two Celtic populations:—

"We are bold to note thus much to your lordships, gathered out of some of our experience touching the Scots—namely, that the M'Connels have had always friendship with the O'Neils, both by marriage, fostering, and bonnaught, and therefore not to be trusted to serve her majesty in this weighty service; where, on the contrary, the M'Ellanes are opposed unto the earl for sundry provocations, and especially for the hanging of Hugh Cayvoloughe, one of the sons of the late Shane O'Neil."—P. 197. Most of the persons here referred to are Scots Highlanders, but it would be a perilous task to attempt to identify them with any persons known in Scotland.

Again it is said of Domhnall or Donnell, the root of the Macdonnells, that he "left a son called Angus More, generally known as Angus of Islay and Kintyre. This chief's son, Angus Oge, married Agnes O'Cahan, daughter of an Ulster lord whose territories lay west of the river Bann, in the present county of Londonderry. Their eldest son, John of Islay (or, as he was named among his kinsmen, Eoin na h-Ile), married, as his second wife, Margaret, daughter of Robert II., King of Scotland. The second son of this marriage was John Mor, who married Marjory Bisset,

Returning to the question how far from all sources the Highlanders were possessed of the material necessaries and comforts of life, the natural conclusion is, that according to the rule of progress in the rest of the population, they must have been in worse plight of old than they are now. But this is not a conclusion of universal acceptance. We are not accustomed to hear of either Ireland or the Highlands of the present day as a land of plenty. In both, however, popular literature speaks of abundance in old times; and it has been held that when the people lived unmolested under their old national institutions, it fared better with them than they have been under the ungenial control of the Saxon. All doctrines are entitled to a hearing; but this one leads to conclusions so unharmonious to all established belief in the blessed influences of peace and industry, that it will require support from a more consolidated supply of facts than theorists about the Irish and the Highlanders are generally content with.[1] When the facts are proved, the process of account-

daughter of MacEoin Bisset, Lord of the Glyns of Antrim; and by her the seven *tuoghs* or districts of the Glyns, together with the island of Rathlin, came originally into the family of the Macdonnells. John Mor and his Antrim bride dwelt in Scotland; but their son Donald, surnamed Ballach, or the Freckled, was compelled to seek an asylum in the Antrim glens."—Ulster Journal of Archæology, vii. 247, 248. This family of Bisset throws us far back into our History, to a tragedy that occurred in the twelfth century. It compelled the Bissets to leave Scotland, and vacating their Highland estates there, to be occupied by the Frasers of Lovat, we find them passing a parallel career among the Celts of Ireland.

[1] In 'The Ballads of Ireland, collected and edited by Edward Hayes,' there are repeated testimonies to this, as—

"A plenteous place is Ireland for hospitable cheer,
Where the wholesome fruit is bursting from the yellow-barbèd ear."

And—

"Large and profitable are the stacks upon the ground;
The butter and the cream do wonderfully abound."

ing for them will take the following shape. In a naturally industrious and enterprising population, war and confusion, no doubt, desolate the land, not only by bringing actual ruin on the produce of industry, but by cutting off the industrious hands. But here the people are indolent, and content with

In a "Vision of Connaught," in the thirteenth century, we have—

> "I walked entranced
> Through a land of morn;
> The sun, with wondrous excess of light,
> Shone down and glanced
> Over seas of corn,
> And lustrous gardens a-left and right."

Nor is this all imagination; for there is testimony, in Ireland especially, of abundance of provender and profuse consumption among some, whatever privations might have been endured among others: "The annual revenue received by O'Doyne in 1608, from his vast territory, was but £2, 7s. in cash, 36 beeves, 432 crannocs of oats, 268 cakes of bread, 89 dishes of butter, 24 carnes, and 52 barins of malt and 12 barins of wheat, to which was added £3, 8s. for 'horse-boys' diet,' as a commutation instead of coigny or refection to his grooms, whenever he rode about to tenants' houses." When O'Neil returned from London in 1603, relieved of a difficulty for which he had to appear at Court, his people "turned out in troops to welcome him home, and gave their Tierna More all the honour and homage they could bestow, presenting him with store of beeves, colpaghs, sheep, hens, bonny-clabber, sruan, butter, greddan-meal strowans; with snush and bolean as much as they could get to regale him."—Montgomery MSS.; Ulster Journal of Archæology, iii. 121.

There is such testimony to the abundant consumption of wine in the Western Isles as would be at once rejected with derision, were it not the expression of laborious and vain efforts by the Government to restrain it. In 1616 the Secret Council issued an Act on the preamble that "the great and extraordinary excess in drinking of wine commonly used among the commons and tenants of the Isles, is not only an occasion of the beastly and barbarous cruelties and inhumanities that falls out among them to the displeasure of God and contempt of law and justice, but with that it draws numbers of them to miserable necessity and poverty, so that they are constrained, when they want of their own, to take from their neighbours." The remedy is that first and simplest always tried in such cases —absolute prohibition. The Council, however, had to go farther back, and put restraints on the importation of wine; and in justification of these they gave the following strange picture of the external symptoms of the passion for wine: "With the insatiable desire thereof the said inhabitants are

the bounties supplied to them by nature. If their population increases beyond a balance with the natural supply of these bounties, they starve. Thus do we find, by logical conclusion, a race among whom war and murder have a wholesome social tendency; and it is added to the wrongs committed on the Celt, that

so far possessed, that when there arrives any ship or other vessel there with wines, they spend both days and nights in their excess of drinking, and seldom do they leave their drinking so long as there is any of the wine retained; so that, being overcome with drink, there falls out many inconvenients among them." There is an odd exception to the restraints —that they are to be "without prejudice always to any person within the Isles to brew aqua vitæ and other drink to serve their own houses." One would think this as likely to be productive of "inconvenients," and even "beastly and barbarous cruelties," as the wines of the Rhine and the Garonne; and so the Irish Parliament seems to have felt when on the preamble: "Forasmuch as aqua vitæ, a drink not profitable to be daily drunken and used, is now universally throughout this realm of Ireland made, and especially in the borders of the Irishry and for the furniture of Irishmen, and thereby much corn, grain, and other things are consumed, spent, and wasted." The remedy is simple prohibition—and there, of course, an end. On further dealing with the Isles, limitation was the policy. We have the rule stated in a quarter worthy of thorough reliance. The smaller chiefs, "such as Mackinnon in Skye, Maclane of Coll, and Maclean of Lochbuy, were restricted to one tun or four hogsheads each in the twelvemonth. Chiefs of a higher rank, such as the Captain of Clanranald, had three tuns or twelve hogsheads a-year. Potentates of still greater mark — Maclean of Duart, Macleod of Dunvegan, and Donald Gorme of Sleat—were permitted to have each of them four tuns or sixteen hogsheads yearly. Four Scottish tuns, I should explain, contain rather more than 876 imperial gallons. In other words, there were in 1616 at least three houses in the West Isles where the consumption of wine, under the jealous regimen of the Privy Council, amounted to 478 dozen every year. May I ask if there be one house now in all the Hebrides which uses so much?" —Paper by Joseph Robertson, Proceedings, Society of Antiquarians, Scotland, iii. 424.

Of this consumption of wine, as in other Highland practices, there was example teaching from Ireland. We hear of Shane O'Neil, that "albeit he had most commonly two hundred tuns of wine in his cellar at Dundrun, and had his fill thereof, yet was he never satisfied till he had swallowed up marvellous great quantities of usqueba or aqua vitæ of that country."—Holingshed's Chron. of Ireland, 113.

the law and order to which he has been reduced under the rule of the Saxon have driven him to starvation.

Of the social condition of any people the nature and nomenclature of those who bear influence or rule over them are significant elements. The titles of dignity given by the Celts both of Ireland and Scotland to their sovereigns or leaders had a fine simplicity, like those of old Rome. The head of the house of Argyle was MacCallum Mohr. Lord Lovat was MacShimei. The ruler over the great island sept of Macleods was simply "MacLeod." The best-accepted representative of the ancient Irish dynasties of the Hy Nyal, when Earl of Tyrone, had a higher title in the simple designation of O'Neil. All this was in strong contrast with the Royal Highnesses, Serene Highnesses, Right Well-born, Right Honourable, and the like, brought into the nomenclature of the Empire after it fell into the hands of the Germans. It was a contrast, too, at variance with the usual notions of the Celtic character, as being showy and boastful.

This character profusely adorns the genealogies of the great houses. When those who come to Britain directly or indirectly from the Scandinavian north — Danes, Normans, and their brethren — first cross our path, they are new men — men with no pedigrees. But they built their houses on a foundation, to provide secure pedigrees for their descendants. These are the only men whose hereditary descent belongs to record. To have "come in with the Conqueror" is the boast of our noblest houses; and perhaps there are no other families in the world that can look with the same clearness so far back. But the Celt

seems ever to have had a curious horror of anything about himself or his affairs being committed to the sure testimony of writing or record. We have seen the Highland antipathy to "the sheepskin title" which established a holding by feudal tenure of the Crown. The titles to their lands, which in more recent times committed Celtic pedigrees to writing, are inimical to their traditionary claims, by sometimes drawing the real descent into a different groove. It is not to be inferred from this that the Celtic people of Ireland and the Highlands were averse to pedigrees. These, such as they were, abounded. Whenever, in their countless fluctuations, any man rose to considerable power, he was surrounded by a court or staff of sennachies—the bards and historians of his race. It was their duty to maintain his descent to be ancient and illustrious, just as it is the duty of the officers of a government to support its policy. These were distinguished men in their proper place; but when the breaking of the clan or any other casualty drove them forth from the protection of a chief, they got small respect from the Lowland laws. Parliament made provision for them in a law brief and distinct, that bards and suchlike runners-about be put in the king's prisons, or in irons, to be so kept while they have means of their own; and if "they have naught to live upon, that their ears be nailed to the trone, or to ane other tree, and their ear cutted off, and banished the country; and if thereafter they be founden again, that they be hanged."[1]

[1] Solecisms of various kinds are apt to arise out of the conflicts of custom between Highlander and Lowlander. The Highlander, for all his pride in his own race or clan, courteously admits the claims of any stranger bringing with him the attributes of wealth and position. If

Sometimes the claims founded on these traditional genealogies got into record. In the great diplomatic collection known as the Fœdera there are frequent alliances or contracts between the Court of England and the Irish or Highland potentates, who of course take the titles conceded to them at home. These documents generally subsidise them to fight for the English policy in the subjugation of Scotland. In other instances, peerages or baronetages are conferred on them, and their dignities are acknowledged in the patent.[1] But these were mere casual acceptances of tradition, and could not make the pedigree otherwise than what it really was—traditional. But even had Celtic pedigrees been minutely recorded, the plan of conceding the succession, not to the representative pointed out by hereditary descent, but to the nearest relation or the strongest, introduced such elements of confusion that the most expert genealogist could not have made a family-tree out of such materials. But there was a farther element of confusion. Neither in Ireland nor the Highlands had the clergy been able to enforce the distinction between marriage

he hold no place in their own distinguished hierarchy, yet he may have a high one in his own. It was said of a late distinguished poet, that on a visit to a Highland family he was at first treated with much deference, until they discovered the art by which he had won renown. He was a poet—a mere sennachie; and he dropped in their eyes to the social position which the sennachie had occupied since—

"The bigots of the iron time
Had called his harmless art a crime."

[1] "The Macdonnells of Antrim represent one branch of a race that in former times supplied kings to Ireland and lords to the Isles and Highlands of Scotland.[q] The fact is admitted in the letters-patent issued by James I. of England for the investiture of Randal Macdonnell with the dignity of a peer in 1617, and is asserted, indeed, as one principal reason for the distinction thus conferred."—Transactions of the Ulster Journal of Archæology, vii. 247.

and concubinage, and consequently the distinction between legitimacy and illegitimacy. The son taking the succession might be one out of a mob by different mothers, all in the eye of English and Lowland laws illegitimate. We have seen that when the Lord of the Isles was brought within the pale of civilisation by a peerage, the patent was taken to his illegitimate offspring. The great families, therefore, were something like the Roman *gentes* — a group related to each other, and traditionally believed to have their roots deep in unknown antiquity.

Some conditions of a broader character curiously but mysteriously connect Ireland and the Highlands. In the seventh century a great battle was fought at Moyra.[1] It was to the Irish what Bannockburn was to the Scots. Donald Brec, the head of the kingdom created by the Irish migrators into Scotland, had gone with a mixed army of English and Scots to conquer for himself the throne of Ulster, or of all Ireland as tradition reported his claims. He was defeated by King Domnal, who thus saved his country from slavery.[2]

From dim reminiscences of this contest, or other causes, there seems to have lingered an impression that whoever was the chief ruler of the Western Highlands had a claim to be king also in Ireland. The

[1] See chapter ix.

[2] The great epic commemorating the battle is very interesting, as translated in "The Banquet of Dun na n-gedth and the Battle of Magh Rath [viz., Moyra], an ancient Historical Tale," printed by the Irish Archæological Society. Surely the translator vindicates his own personal nationality in saying, "Mr Moore, the latest author of the history of Ireland, does not condescend so much as to name the monarch, or to notice the battle. His defence is as follows," &c.—Introductory Remarks, xxii.

genealogical confusion already referred to gave ample room for any such assertion. The great Shane O'Neil in Queen Elizabeth's day nearly completed the creation of a kingdom in Ulster. When he made the visit to the Court of England so picturesquely described by Camden, it was as an equal, not a vassal. When twitted with submission to the Saxon, he gave the haughty answer, "I never made peace with the queen but at her own seeking."[1] He held his powerful position as the acknowledged representative of the Hy Nyal—that royal race which comes into distinct light during the Augustan age of Columba and Adamnan, but sinks into obscurity as Ireland lapses from civilisation. But there were several Highland houses with pretensions as well founded, or rather as well acknowledged; for the whole foundation of these pedigrees was contemporary belief, and any member of these houses becoming as powerful as Shane, would have been as near to a throne.[2]

To bring Ireland and the Highlands to conformity with the rest of the empire—whether by displacing the Celt or socially regenerating him—was naturally one of the chief missions of the consolidated powers following on the union of the crowns. Before the Union—in

[1] Ulster Archæological Journal, iii. 45.

[2] "Colla, termed 'Huaish,' or the Noble, was the twenty-ninth King of Ireland in a direct line from Heremon. Twenty-four generations from Colla, was Sanhaish or Sorley, Thane of Argyle, whose grandson, Domhnall or Donnell, was the chief from whom the Macdonnells, in all their family ramifications, derive their surname. Besides the Antrim family, there are many branches of Domhnall's descendants in Scotland; among whom may be principally mentioned the Macdonnells of Glengarry, the Macdonnells of Moidart, the Macdonnells of Morar, the Macdonnells of Keppoch, the Macdonells of Sleat, the Macdonells of Glencoe, and the Macdonells of Loupe."—Transactions of the Ulster Journal of Archæology, vii. 247, 248.

1597—a requisition was made by Parliament of a kind very unpalatable to the Highland potentates. They were required to produce their written titles. "All landlords, chieftains, and leaders of clans, principal householders, heritors, and others, possessors or pretending right to any lands," were to assemble at Edinburgh, and there produce "all their infeftments, writs, and titles whatsomever," on which they claimed possession. The reason given for the command was not complimentary to those required to obey. It is because they have, "through their barbarous inhumanity, made and presently makes the said Heelands and Isles—whilk are most commodious in themselves, as well by the fertility of the ground, as by rich fishings by sea—altogether unprofitable both to themselves and to all others his highness' lieges within this realm; they neither entertaining any civil or honest society amongst themselves, neither yet admitting others his highness' lieges to traffic within their bounds with safety of their lives and goods."[1] Another statute authorised the creation of three municipal corporations in the Highlands. Any internal amelioration in the direction of these statutes came some years afterwards, when the power of the Crown was enlarged by the Union. The three municipalities are believed to be now represented by Campbelltown, Fort William, and Stornoway.

These were the preliminary steps to the "plantation" of the Isles. This word has a peaceful and gentle sound, like the soothing shape in which the discreet surgeon announces that he has to perform some painful and critical amputation. In its full

[1] Acts, iv. 138.

meaning, it was the removal of the race in possession of the soil, and the planting of another. Whether driven forth as wanderers elsewhere, or put to death in their old homes, the first step in the process was one of sheer cruelty to the natives. In the usual authorities we are told that "Ulster, from being the most wild and disorderly province in Ireland, became in time the most cultivated and most civilised;" but the balance between infliction and beneficence in the operation has to be struck from data broader than those allowed in such an estimate. As in the Highlands the disease was not so desperate, the operation was less cruel. There was but a meagre response to the call for titles—they did not exist; and the chiefs who held their lands by the sword and the allegiance of their people, were loath to go to the king's Chancery for "sheepskins." A large tract of country, including the whole of the island of the Lewis, was thus forfeited. The Crown professed to put these districts at the disposal of certain Lowland adventurers. They were men of rank, with the Duke of Lennox at their head. They were to hold the lands rent-free for seven years, and afterwards to pay a modified rent or tax to the Crown. They began to fulfil the object of the adventure by introducing a few Lowland cultivators of the soil; but these, after the usual harassments attending an unsuccessful colonisation, returned to their Lowland homes, tired and disappointed, in the year 1609.

After this abortive attempt, instead of "planting" according to the Ulster plan, the Government fell back on the old policy of strengthening the great houses which had one foot in the Highlands and the other in the Lowlands, and helping them to aggrandise them-

selves by the process called in Germany mediatising—the process through which Prussia became one of the great Powers. Huntly had a commission against Keppoch in the north. The Campbells, of course, took in hand the south. This house was waxing so powerful that its own greatness might be a danger to be weighed against Highland lawlessness and independence. But between the northern and the southern potentate a third was found in the Mackenzies of Kintail, afterwards the Earls of Seaforth. Then the Campbells had spread so far that they were divided into three houses, and one might weigh against the others. Besides Argyle reigning in the districts round Loch Fyne, there was Breadalbane with his castle in Loch Awe, and farther north the house of Calder, in Morayland. It was on this last that the Government chiefly relied in the present emergency. There was a war crowded with incidents, of which a characteristic morsel has been already given in the adventures of the warlike Bishop of the Isles. When the revolution was accomplished, the Highland territories of the Campbells were increased by the acquisition of Kintyre, Islay, Jura, and other smaller items.[1] The Government was but slightly taxed in aid of the aggrandising powers. Four hundred of the Highlanders, trained in the Irish wars, were added to the natural following of the invaders. The bishop did not give his entire approval

[1] These estates were gifted to Campbell of Calder, and afterwards passed to the Shawfields branch of the Campbell family. Highland property has ever been subject to mutability; and as generations passed, the Campbells of Islay came to be among the longest rooted of the Highland families. Many people both in England and Scotland will remember the last chief who kept state in Islay, as a genial, accomplished, hospitable gentleman.

to the policy he was employed to enforce, having a preference for "plantation." His views are instructive on the spirit in which the statesmen of the day looked on the Celts both of the Highlands and Islands: "All the trouble that is done to me and my friends is because of Archibald Campbell's diligence to procure the isle of Islay for the Laird of Calder, of which they are certainly informed. The which if it take effect will breed great trouble in the Isles—far more nor all the fine and duty of the Isles of Scotland will afford these many years, and in the mean time be the wreck of my friends. Neither can I, or any man who knows the estate of that country, think it good or profitable to his majesty or this country to make that name greater in the Isles nor they are already, nor yet to rout out one pestiferous clan and plant in one little better, seeing his majesty has good occasion now, with little expenses, to make a new plantation of honest men in that island, answerable to that of Ulster in Ireland lying upon the next shore, with the which Islay hath daily commerce."[1]

The Highland revolution was not completed until the year 1616. It was by no means the entire regeneration that would have come out of an effective "planting;" but it broke all organisation for concentrating power in the Highlands, and increased the controlling authority of the Government there. The policy to be pursued was modelled on the order taken with a group of the most powerful chiefs subjected to the conditions following:—

[1] For the affairs of the Bishop of the Isles, see Gregory's Highlands and Islands, 349 *et seq.*; and Original Letters (Bannatyne Club), 372, 393, and 397.

"They were obliged to bind themselves mutually, as sureties for each other, to the observance of the following conditions: First, That their clans should keep good order, and that they themselves should appear before the Council annually on the 10th of July, and oftener if required, and on being legally summoned. Secondly, That they should exhibit annually a certain number of their principal kinsmen, out of a larger number contained in a list given by them to the Council. Dowart was to exhibit four; Macleod, three; Clanranald, two; and Coll, Lochbuy, and Mackinnon, one of these chieftains, or heads of houses, in their clans, respectively. Thirdly, That they were not to maintain in household more than the following proportions of gentlemen, according to their rank—viz., Dowart, eight; Macleod and Clanranald, six; and the others three each. Fourthly, That they were to free their countries of *sorners* and idle men having no lawful occupation. Fifthly, That none of them were to carry hackbuts or pistols unless when employed in the king's service; and that none but the chiefs and their household gentlemen were to wear swords, or armour, or any weapons whatever. Sixthly, That the chiefs were to reside at the following places respectively—viz., Macleod at Dunvegan, Maclean of Dowart at that place, Clanranald at Elanterim, Maclean of Coll at Bistache, Lochbuy at Moy, and Mackinnon at Kilmorie. Such of them as had not convenient dwelling-houses corresponding to their rank at these places, were to build without delay 'civil and comelie' houses, or repair those that were decayed. They were likewise to make 'policie and planting' about their houses; and to take *mains*, or

home-farms, into their own hands, which they were to cultivate, 'to the effect they might be thereby exercised and eschew idleness.' Clanranald, who had no *mains* about his Castle of Elanterim, chose for his home-farm the lands of Hobeg, in Uist. Seventhly, That at the term of Martinmas next they were to let the remainder of their lands to tenants, for a certain fixed rent in lieu of all exactions. Eighthly, That no single chief should keep more than one birling, or galley, of sixteen or eighteen oars; and that, in their voyages through the Isles, they should not oppress the country people. Ninthly, That they should send all their children above nine years of age to school in the Lowlands, to be instructed in reading, writing, and speaking the English language; and that none of their children should be served heir to their fathers, or received as a tenant by the king, who had not received that education. This provision regarding education was confirmed by an Act of Privy Council, which bore, that 'the chief and principal cause whilk has procured and procures the continuance of barbarity, impiety, and incivility within the Isles of this kingdom, has proceeded from the small care that the chiftanes and principal clanned-men of the Isles has had of the education and upbringing of their children in virtue and learning; who, being careless of their duties in that point, and keeping their children still at home with them, where they see nothing in their tender years but the barbarous and uncivil forms of the country, they are thereby made to apprehend that there is no other forms of duty and civility keeped in any other part of the country; so that, when they come to the years of maturity, hardly

can they be reclaimed from these barbarous, rude, and uncivil forms, whilk, for lack of instruction, were bred and settled in them in their youth: whereas, if they had been sent to the inland (the low country) in their youth, and trained up in virtue, learning, and the English tongue, they would have been the better prepared to reform their countries, and to reduce the same to godliness, obedience, and civility.'"[1]

[1] Gregory's Highlands and Islands, 392-95. The "lastly" of these conditions embodies the limitations on the consumption of wine already cited.

CHAPTER LXVI.

James VI.

EXPECTATION OF A VISIT BY KING JAMES TO HIS ANCIENT KINGDOM—PREPARATIONS FOR IT—SCANDAL AND ALARM CREATED BY DECORATIONS OF THE ROYAL CHAPEL, AND OTHER INCIDENTS—DIFFERENCE BETWEEN ENGLAND AND SCOTLAND IN SUCH MATTERS—HE COMES—THE PAGEANTRIES AND SPEECHES—RESTORATION OF DEANS AND CHAPTERS—OTHER ECCLESIASTICAL SOURCES OF ALARM—THE FIVE ARTICLES OF PERTH—A BATTLE WITH THE PRESBYTERIANS TO COMPEL THEM TO CONFORM—KING JAMES SHOWS SENSE, AND STOPS—HIS OPINION OF LAUD—AN AFFAIR VARYING THE ECCLESIASTICAL DISCUSSIONS—SCOTTISH ENTERPRISE—DREAMS OF COLONISATION—NOVA SCOTIA, OR NEW SCOTLAND—THE PROJECTORS AND THE BARONETS—THE ULSTER PLANTATION—CONCLUSION OF THE REIGN OF JAMES VI.

THE king had promised that when State affairs permitted him to leave England he would pay a visit to his ancient kingdom. That event was now at hand, and many preparations for it were in progress, some of them not entirely propitious. The project for establishing a choir of singers in the Chapel of Holyrood has already been noticed.[1] The Bishop of Galloway, who was actively engaged in it, and suffered in his worldly goods for his activity, writes to the king, say-

[1] Page 252.

ing: "I have intended action against all such as presently possess the rents of the chapel, and shall do what in me lies to recover them (not for any benefit to me, being heartily content to quit all the rent thereof), that your highness's chapel may be provided of musicians, and the churches belonging thereto of pastors."[1] Whoever has studied the contest of the new hierarchy for subsistence out of the old domains of their sees, will easily realise what a group of sordid enemies this effort to recover the revenues of the chapel would raise.

The king indulged himself in a pleasant fancy for having his chapel decorated for his reception with pictures and wooden sculpture. The zealous Presbyterians, who in Edinburgh were growing in numbers and zeal, heard a rumour of this scheme, and it filled them with horrible suspicions. Their activity, earnestness, and bitterness communicated a sensation of alarm to James's own particular friends in the hierarchy, and they ventured to remonstrate against his project. The end was, that the dreaded cargo of pictures and graven images did not arrive from London. In a letter thoroughly his own, the king set forth at great length that this result must not be attributed to any homage to the superior wisdom of his advisers, or any failure of resolution to give effect to his royal determination, but was the effect of mere accidental interruption to the completion of his decorations:—

"When we received and perused your letter of the 25th of February last, concerning the graven work of wood intended for decoring of our seat in our chapel at Holyrood House, we were at first afraid that some

[1] Original Letters (Bannatyne Club), 466.

of the directors or workmen had been Papists, and so without our knowledge had intended there to erect such idolatrous images and painted pictures as those of that profession had been in use to adore; but when we had better considered, and exactly tried what was done, we find but a false alarm, and that causeless fears have made you start at your own shadows. Yet seeing a change is commanded upon that work, upon notice given to us by our master of works here of the difficulty and longsomeness thereof, lest our silence, and not answering of your letter, might be interpreted for a kind of consent or approbation of what ye wrote thereanent—and to the effect that the command of that alteration shall not be thought to have proceeded from any such conceit in us as ye are possessed with—we have thought good hereby to certify you that we was not induced thereto by any such ground or consideration, but merely because of the misdoubt conceived that the work would have been so well or so soon done in that kind as in the form now directed. And therefore do not deceive yourselves with a vain imagination of anything done therein for ease of your hearts or ratifying your error in your judgment of that graven work, which is not of an idolatrous kind like to images and painted pictures adored and worshipped by Papists, but merely intended for ornament and decoration of the place where we shall sit, and might have been wrought as well with figures of lions, dragons, and devils, as with those of patriarchs and apostles. But as we must wonder at your ignorance, and teach you thus to distinguish the one and the other, so are we persuaded that none of you would have been scandalised or offended if the said figures

of lions, dragons, and devils had been carved and put up in lieu of those of the patriarchs and apostles."[1]

The king entered Scotland on the 13th of May 1616, and remained there till the 5th of August 1617. This period was chiefly occupied in royal receptions and pageants of such meagre kind as Scotland could afford. Comparing what we know of these with the portly records of the great English progresses, one would say that the ancient kingdom endeavoured to make up in intellect and scholarship for her deficiency in grandeur and substantial hospitality. The scholarship of Scotland was put under requisition for eulogistic addresses in all forms of Latin versification. We have consequently to weigh against the substantial chronicles of festivals and costly pageants a thin folio volume, chiefly filled with such productions as will remind its reader of college exercises, though it is enlivened by one poem in the vernacular, contributed by Drummond of Hawthornden.[2]

The whole was wound up by an exhibition which might be likened to academic saturnalia. A group of professors and students were summoned from his own college of Edinburgh to appear before him in Stirling, and there hold a "disputatio" in the established academic fashion. This practice, otherwise known as the "impugnment of theses," was an exhibition of logical gladiators. Some one stated certain "theses" or propositions which he was prepared to

[1] Original Letters (Bannatyne Club), 497.

[2] 'The Muses' Welcome to the High and Mighty Prince James, by the Grace of God King of Great Britain, France, and Ireland, Defender of the Faith, &c., at his Majesty's happie Returne to his old and native Kingdome of Scotland, after xiii years' absence, in anno 1617. By John Adamson.'

support, while others impugned them. It was a practice then beginning to infest the universities, so as to choke the progress of true knowledge with formalities. Those engaged in the contest were only to make use of the laws and practice of formal logic: the truth of the question before them, as a matter of experimental philosophy, did not belong to the programme. This practice, long stubbornly pursued, brought the science of logic into a discredit from which it has hardly yet recovered. The assemblage round the king gave their small contribution to this cause of discredit. When taking up "the nature of local motion," and "the origin of fountains and springs," they did their logical manipulations so neatly as to call from their master the compliment that "these men know the mind of Aristotle as well he did himself when alive."

As on all these occasions those who met their king abounded in praise and flattery, his visit was so far a succession of delights; but he left behind him morsels of serious work attended by recollections of a different order. The king attended a session of Estates, who passed an Act for perfecting the structure of the new hierarchy by the restoration of the Dean and Chapter of each See. The election of the bishop was to be by the Crown presenting and the chapter electing the person so presented, after the famous and illogical model of the *congé d'élire* in England. A far more serious portion of the measure was the restoration of the temporalities of the Deaneries, Canonries, and Prebends' stalls, so far as these temporalities could be recovered.[1] In this we see a device for widening the arena for that game of selfishness, coercion, and chica-

[1] Act. Parl., iv. 525.

nery which we have seen in the dealings with the revenues of the bishops. Another Act of this Parliament, little noticed in history, created a great change in the condition of the clergy. It was called an Act "anent the plantation of kirks," and set out with the preamble, that "there be divers kirks within this kingdom not planted with ministers, wherethrough ignorance and atheism abounds among the people; and that many of these that are planted have no sufficient provision nor maintenance appointed to them, whereby the ministers are kept in poverty and contempt, and cannot fruitfully travail in their charges."[1] The Act appointed an independent Parliamentary commission of thirty-two persons, being eight out of each Estate—prelates, nobles, lesser barons, and burgesses. Their powers and duties were, out of the teinds or tithes then dispersed among various hands, to assign a stipend to the minister of each church. The minimum allowance was equivalent to 500 merks, a sum estimated at £27, 15s. 6d. sterling; the maximum reached 800 merks, estimated at £44, 9s. sterling. As ecclesiastical lawyers and antiquaries find that the complaints of the Churchmen about their incomes were much modified after this commission began its work, there is the inference that it gave them some satisfaction.[2] We may further infer, that to the extent to which the clergy were pleased and satisfied, the several greedy unscrupulous classes of men who had got possession of the tithes became discontented and hostile.

A thing was begun in this Parliament, and left undone, which yet in after-times became more me-

[1] Act. Parl., iv. 531. [2] Connel on Tithes, 186.

morable than any of its completed business. The king desired the Estates to pass an Act to the effect "that whatsoever conclusion was taken by his majesty, with advice of the archbishops and bishops, in matters of external policy, the same should have the power and strength of an ecclesiastical law." The bishops who were immediately consulted by him on this project recommended him to revise and enlarge it, on the principle "for that in making of ecclesiastical laws the advice and consent of presbyters was also required." The proposed clause was therefore altered so as to stand thus: "That whatsoever his majesty should determine in the external government of the Church, with the advice of the archbishops, bishops, and a competent number of the ministry, should have the strength of a law." The Presbyterian party among the clergy, hearing of a proposal which, as their historian says, "was like to cut the cords of the remanent liberties of our Kirk," had meetings and discussions about it. They prepared a full protestation against it, on principles so often referred to in the preceding pages that the omission of them will perhaps be pardoned. By an accident the king had an opportunity of seeing the protestation before it was formally presented. He then desired the Lord Register, who had charge of the Parliamentary proceedings, to cancel the clause, or "to pass by that article as a thing no way necessary, the prerogative of his Crown bearing him to more than was declared by it."[1] The view thus expressed by King James was brought up for discussion nine-

[1] Spottiswood, 533 *et seq.* The two contemporary historians—the Prelatic and the Presbyterian historian—tell this affair, each from his own point of view, with a thorough coincidence as to the leading facts. Calderwood, vii. 250 *et seq.*

teen years afterwards, when his son, in issuing the ecclesiastical canons, claimed for the prerogative a great deal "more than was declared" by the abandoned clause.[1]

Of the marks which the royal visit left behind it, those which belonged to the business of the Estates were not the most emphatic. In the chapel which he had prepared for himself in Holyrood House, the king had services in which all the ceremonials of the English Church were scrupulously repeated. This was done not quietly and privately, as if for the satisfaction of his own conscience, but with great bravado and display, as if he called on all men to admire what was so pleasing to himself. Such things caused much murmuring and foreboding among the zealous on the other side, who saw, and with too much reason, in the ceremonials of the Chapel Royal, the model to which all were to be subdued by the new temporal head of the Church. The promoters of "the protestation" which had produced so curious a result were not forgotten. Some of the most conspicuous among them were "warded," and others threatened. David Calderwood, the chronicler of the Church affairs of the day so often quoted, was one of the most conspicuous of the Protesters; and when he appeared before the court of high commission, the king argued matters with him in the old fashion. Thus the historian of the Church had the glory of recording a long controversy in which his sovereign condescended to wrangle with him.[2] The "protestation," however, was rendered a mere casual and passing affair by the supreme importance

[1] Heylyn's Life of Laud, 301.

[2] Calderwood, iv. 250 *et seq.*; Original Letters (Bannatyne Club), 502.

of the measure called "the Five Articles of Perth," which fulfilled even more than the worst fears of the protesters concerning coming innovations.

Perhaps it was the first intention of the Court to issue these Articles in the king's name as head of the Church, since we find the substance of one of them anticipated by a royal proclamation for the observance of holidays. It ordained, "according to the example of the Kirk, when the same was in greatest purity, and most free from corruption and error," that there should be abstinence from business, and attendance on worship on Christmas-Day, Good Friday, Easter-Day, Ascension-Day, and Whitsunday. Whatever may have been the original design, the Five Articles—the fifth of which repeated the injunction as to holidays —were passed in a General Assembly held at Perth in the summer of 1618.

The first and most important of these Articles enjoined, that at the sacrament of the atonement the communicant should receive the elements kneeling. The second permitted communion in private houses in case of sickness, and the third allowed private baptism on necessary cause: the innovation in these two articles was in making communion and baptism no longer a public act in which the congregation of the faithful partook, but a transaction apart between priest and layman.[1] The fourth article enjoined the confirma-

[1] A high authority of the period says: "In private baptism the congregation is neglected. The Church hath interest in the baptism of the child as well as the minister, for the child is received into the congregation to be a member thereof. And therefore the confession of the parents should be given publicly before that the child receive the seal of the covenant."—Calderwood, Altar of Damascus, 209. It is necessary to go back for such an explanation, as the doctrine it announces is now so obsolete that baptism in private houses is the general rule among the

tion by the bishop of children eight years old; and the fifth repeated the order for observing holidays.

To see how deep these simple rules of ecclesiastical ceremonial, or ritualism, cut into the prejudices of a large portion of the community, it may be proper to glance back at some conditions peculiar to the Reformation in Scotland. The stranger in a Scotch Presbyterian church generally remarks that the form of service seems to have no other ruling principle save that of antagonism to the forms of all the Churches which have adhered, in whole or in part, to the traditional ceremonial of the Church of the middle ages. Where in these the suppliant humbly kneels in prayer, in Scotland he stands straight up, with his head erect, as if he would look the Giver of all in the face, and demand what he prays for. Then in the celebration of the sacrament of the atonement, while in other Churches the ceremonies are adjusted so that the communicant shall appear as a suppliant humbly receiving the great boon at the hands of those authorised to render it; in the ministration of the Lord's table in Scotland, scrupulous care seems to have been taken to give the whole as much as possible the aspect of a miscellaneous party assembled for convivial enjoyment round a hospitable board.

But whatever aspect they may have at the present day, these things had for nearly a century after the Reformation a more potent cause than mere logical antagonism. It was the opinion of the Calvinistic Reformers—whether a right or a wrong opinion—that

wealthy Presbyterians in Scotland, who are sometimes inclined to sneer at the punctiliousness that sends their Episcopalian neighbours to the porch of a duly-consecrated church.

the Church of Rome had carried symbolism so far as to break that commandment which saith, "Thou shalt not make to thyself any graven image, nor the likeness of anything that is in heaven above, or in the earth beneath, or in the water under the earth: thou shalt not bow down to them nor worship them." Two prominent forms of idolatry were selected for denunciation. The one was addressed in the sacrament of the atonement to the elements as having become sacred by transubstantiation. The other was the seeking the intervention of saints or other holy powers through homage or worship directly addressed to their likenesses in painting or sculpture. It was against the visible and tangible tokens of these idolatries that the preachers directed the destructive energies of their hearers, when so much mischief was done in churches that their admonitions were afterwards interpreted as calling for the destruction of the churches themselves. The spirit of the new order was, that the humiliating gestures of the body are made by man to express subservience to his fellow, or adoration of the work of his hand. The adoration of the heart was the proper offering to the Deity, who, seeing in secret, knows that it exists without looking to an external symbol. Hence these Churches resolved to sweep away not only the mere material objects of idolatry, but also the forms in which that idolatry was practised.

If the people have been accustomed to employ certain acts as symbolical of reverence or devotion, it is useless to substitute others of a different kind, and to say that henceforth these shall be the outward and visible signs of inward homage. The absolute alternative is either to abolish all, or retain so much, and

guide the spirit of its use in the right direction. This was the alternative of the Church of England, and its spirit has been well expressed by a thoughtful layman of the day: "We have reformed from them, not against them; for omitting those improprieties and terms of scurrility betwixt us, which only difference our affections and not our cause, there is between us one common name and appellation, one faith and necessary body of principles common to us both; and therefore I am not scrupulous to converse and live with them, to enter their churches in defect of ours, and either pray with them or for them. I could never perceive any rational consequence from those many texts which prohibit the children of Israel to pollute themselves with the temples of the heathen, we being all Christians, and not divided by those detestable impieties as might profane our prayers or the place wherein we make them; or that a resolved conscience may not adore her Creator anywhere, especially in places devoted to His service, where, if their devotions offend Him, mine may please Him; if theirs profane it, mine may hallow it. . . . At my devotion I love to use the civility of my knee, my hat, and hand, with all those outward and sensible motions which may express or promote my invisible devotion. I should violate my own arm rather than a church, nor willingly deface the name of saint or martyr. At the sight of a cross or crucifix I could dispense with my hat, but scarce with the thought or memory of my Saviour."[1]

But it was far too late for soothing sentiments like these to influence Scotland. In England the old parish church, with all its decorations scarcely touched

[1] Sir Thomas Browne's Religio Medici.

by the Reformation, gave a local harmony and natural association with the past to whatever remnants of the old ceremonial of the Church were permitted to cluster round it. The very wealth of the Establishment, keeping men contented, and all things in comfortable order, had a soothing and conservative tendency. In Scotland the temples had been desolated, and those expected to serve in them were doomed to penury. All things were cast loose, and the ardent spirits clung to the doctrines and systems that fed their enthusiasm. All this was now sixty years old; so that what in England was the old accustomed order, became in Scotland flagrant innovation.

At the same time, those who represented the extirpators of idolatry, root and branch, could render practical reasons respecting their policy. The Puritans of England told them that the revival of symbolisation there was reproducing something like the old Popish idolatry among the English peasantry. In Scotland, wherever there existed remnants of the old apparatus of idolatry, zealots would be found prowling about them in adoration. In corners of the vast ruins of Elgin Cathedral, groups of Popish worshippers assembled secretly down to the reign of Queen Anne. In remote places where there were shrines, crosses, or holy founts, the people, though nominally Protestant, were found practising some traditional remnant of the old idolatry. Crosses, shrines, and other artificial attractions to such irregularities might be removed; but there remained the most significant of all the old centres of devotion—the consecrated wells—the springs of water from which the earliest missionaries made the first converts to Christianity. The documents of the

Church of Scotland for centuries are filled with these causes of backsliding. Though everything had been done, from the Reformation downward, to obliterate the memory of the local saints, the shrine or the well retained its spell though the peculiar saint whose virtue attached to it was entirely forgotten. The idolatrous usages thus bewailed have been in later times almost peculiar to the Highlands, where, within the memory of people still living, the parish minister has had to complain, that while his flock in all respects piously conforms to the rule of the Presbyterian discipline and doctrine, it has defied all his efforts to suppress the idolatrous observances with which they are determined to implement their orthodox conformity.

Whoever may have been the leader in the preparation of the Five Articles of Perth, they are a fair specimen of that capacity for imparting a reverend and devotional feeling in idiomatic and expressive language which has so enriched the literature of the Church of England. The first and most offensive article may be taken as an example of the manner and method of the whole :—

"Seeing we are commanded by God himself, that, when we come to worship Him, we fall down and kneel before the Lord our Maker, and considering withal that there is no part of divine worship more heavenly and spiritual than is the holy receiving of the blessed body and blood of our Lord and Saviour Jesus Christ, like as the most humble and reverent gesture of our body in our meditation and the lifting up of our hearts best becometh so divine and sacred an action ; therefore, notwithstanding that our Church

hath used since the reformation of religion to celebrate the holy communion to the people sitting, by reason of the great abuse of kneeling used in the idolatrous worship of the sacrament by the Papists, yet seeing all memory of bypast superstitions is past, in reverence of God, and in due regard of so divine a mystery, and in remembrance of so mystical an union as we are made partakers of, the Assembly thinketh good that the blessed sacrament be celebrated hereafter meekly and reverently upon their knees."

The Articles were carried in the Assembly by a majority of eighty-six to forty-one. It was maintained by the defeated party that the meeting was not a free and fair Assembly, and that all manner of sinister influences were used to secure the passing of the Articles. No doubt it was so. The bishops and the officers of the Crown in Scotland claimed credit for their services on the occasion. It was then as it ever is in political interests—whatever influences the condition of the times permit to be used are used.[1]

It was resolved that the Five Articles should have every available political sanction. They had the injunction of the prerogative and the assent of the Church. They were passed by the Estates in 1621, in a house unusually full. This was the climax of the contest; for whatever might have been done without consulting the Estates, had these rejected the Articles, it would have been a direct and a formidable violation of the oldest and strongest power in the constitution to have attempted to sustain them. There was therefore much excitement outside during the meeting of

[1] See an account of the contest in a report by Lord Binning to the king; Original Letters (Bannatyne Club), 573 *et seq.*

the Estates; and the faithful historian of the Church, who was doubtless present, tells us how, in the following shape, "God appeared angry at the concluding of the Articles:"—

"The grand commissioner rising from the throne to ratify the Acts by touch of the sceptre, at that very moment the heavens sent in at the windows of the house, which was dark before by reason of the darkness of the day, an extraordinary great lightning; after the first a second, and after the second a third more fearful. Immediately after the lightnings followed an extraordinary great darkness, which astonied all that were in the house. The lightnings were seconded with three loud cracks of thunder. Many within the Parliament House took them to be shots of cannons out of the castle. It appeared to all who dwelt within the compass of ten or twelve miles that the clouds stood right above the town, and overshadowed that part only. The beacon standing in the entry of Leith haven was beaten down with one of the blasts of thunder. After the lightning, darkness, and thunder, followed a shower of hailstones extraordinary great; and after all, rain in such abundance that it made the gutters run like little brooks."[1]

It may be noted in passing, that the Act of the Estates authorising the Five Articles is the only statute on the face of the records of the Scottish Parliament which either authorises or dictates on matters of religious ceremonial. It was superseded by various laws passed during the civil war; but these were collectively repealed or "reschinded," as it was termed, at the Restoration. According to the

[1] Calderwood, vii. 505.

English doctrine of statute law, the Act called "A Ratification of the Five Articles of the General Assembly of the Kirk holden at Perth" would be actual law at the present day; but, according to the practice of Scotland, it passed into oblivion, and thus ceased to be law.[1] It is another peculiarity of Scottish legislation, that although the Act "statutes and ordains" the Articles "to be obeyed and observed by all his majesty's subjects as law in time coming," there is no punishment or penalty laid on those who disobey the injunction.

During the progress of these affairs, and thence until his death, the king kept up a harassing contest to compel people in Scotland, and especially in Edinburgh, to conform—to adopt and practise all his innovations with cheerful alacrity, as became the subjects of a sovereign who not only represented the Deity on earth, but represented Him with more than the usual amount of wisdom allotted to others in a like sacred position. It was evidently with much satisfaction that he required rigorous conformity from all whom he could command as holding office under the Crown. They were directed to show their conformity in an active and conspicuous shape by attending the Church services on the holidays. Some of them were believed to be tainted with scrupulosity about these observances; and the king took a slightly malicious satisfaction in hunting them through all their excuses for absence arising out of health, business, or whatever other cause. The "Youle vacance," equivalent to the Christmas holidays in England, was that which roused the strongest opposition. It joined into the festivities

[1] Act. Parl., iv. 596.

of the New Year, believed to be not only Popish, but a continuation of the saturnalia of heathen times. The name Yule, it was said, was the Jol of the old Scandinavians before their conversion. A contest for the active and visible observance of these days by attendance at church could not last long. But when the question resolves itself into the mere withdrawal from work or business, the positive side has all the advantage of the situation which usually falls to the negative. The numerous class whose interest it is to have a day of idle enjoyment generally gain in the end; and in the present day the zealous Presbyterian overseer or clerk does not feel his conscience afflicted by relief from duty even on Good Friday. For all this weight in its favour, however, the "Yule vacance" remained a great test of orthodoxy and an object of contest far down into the eighteenth century.

It was considered as revealing the other half of the scheme, when it became known that the king, while enforcing holidays in Scotland, was relaxing the observance of the Lord's Day in the north of England. A proclamation was issued in Lancashire, the chief injunction of which was, "that after the end of divine service, our good people be not disturbed, letted, or discouraged from any lawful recreation, such as dancing, either men or women, archery for men, leaping, vaulting, or any such harmless recreation, nor from having of May games, Whitsun ales, and moris-dances, and the setting up of May-poles and other sports therewith used, so as the same be had in due and convenient time, without impediment or neglect of divine service." Two reasons were given for this—the one, that Popish priests may not have it in their power to assure their

dupes "that no honest mirth or recreation is lawful or tolerable in our religion;" the other, briefly expressive of an argument often used in the present day, that the suppression of healthy exercise, "in place thereof sets up filthy tipplings and drunkenness, and breeds a number of idle and discontented speeches in their alehouses." [1]

Any one familiar with what may be called the literature of the Court of Scotland over this and a few of the preceding reigns, becomes conscious at this period that a great, though gradual, change has been effected in its character. Terms of servile adulation to the sovereign, unknown in earlier days, have gradually crept into it, having passed through the hands of priests and civilians from the expressions of adoration applied to the later Roman emperors. However pleasantly his servants had discharged this superficial duty, the king was not content with their zeal in exacting compliance with his religious demands. In one instance, where they had failed to bring a recusant clergyman to reason, he rates them in this petulant manner, casting up to them the more efficient services of his English Council, and referring to some job for one of themselves, in which they were more prompt than in the enforcement of his royal will:—

"By your letter of the 10th instant you do certify your proceedings against Mr John Murray, minister, wherein we, expecting to have heard of his punishment inflicted by you, did find nothing in it but ane idle relation of his equivocating prattling, and do now perceive that you are loath to falsify our prophecy of you uttered by us in that letter sent unto you concerning

[1] Calderwood, vii. 298.

that precipitate Act passed against us in favour of our advocate anent the silver mine, wherein, howsoever, our private interest, notour to every one of you, did carry some reason that we should have been acquainted before you proceeded, yet in that there was no stop nor delay; but in the punishing of any Puritan preacher, howsoever manifest his offence be, we did foretell—that which we now find true by experience—that our pleasure in that matter must be at least some half-dozen several times sought, and the same signified to you, before we can have any of our directions in these matters executed; wherein how far in duty and discharge of your place you come short of our Council here, I leave it to your own consideration, and therefore in our directions hereafter, you must either do what is commanded, or then excuse yourselves upon your insufficiency to discharge your places."[1] When even the bishops gently deprecated the too eager pressure of the Five Articles upon tender consciences, he wrote to the two archbishops, saying, among other expressions of anger, which show that he had not submitted his despatch to official revisal: "We will have you know that we have come to that age as we will not be content to be fed with broth, as one of your coat was wont to speak; and think this your doing a disgrace no less than the protestation itself." And on some proposal for modifying the article on the communion, he blurts forth: "As to that other act ordaining the minister himself to give the elements in the celebration out of his own hand to every one of the communicants, and that he may perform this the more commodiously by the

[1] Original Letters (Bannatyne Club), 391, 392*.

advice of the magistrates and honest men of his session, to prepare a table at which the same may be conveniently ministered; but in this we must say that the minister's ease and commodious sitting on his tail hath been more looked to than that kneeling which for reverence we directly required to be enjoined to the receivers of so divine a sacrament."[1]

The opposition to the innovations became formidable in tacit strength, especially in Edinburgh. The king's advisers on the spot felt how difficult a task it was to coerce into the attitude of kneeling a community not that way inclined. The king kept a restless correspondence with his servants in Scotland, requiring of them minute reports on the conduct of the citizens of Edinburgh about the Articles. He received in return such meagre encouragement as might be found in these notices by his sagacious and unscrupulous supporter Thomas Hamilton, who, having done hard and unpleasant work as Lord Advocate, had got his reward in the rich lordship of Melrose. He writes, on 16th April 1623, "an account of the order observed in this town at Easter." It was "not so gracious" as he could have wished. The clergy, he says, had done their duty, "all of them very worthily, according to the time and holy subjects whereof they had to entreat. The number of communicants was small; no strangers—few of the town's people of good sort. The greater part received kneeling, following the example given by the ministers, and by your majesty's treasurer, depute-advocate, and me. Master Patric discreetly moved some to kneel who offered to have done otherwise; but sundry of the base sort, and

[1] Original Letters (Bannatyne Club), 524, 525.

some women not of the best, did sit. In the College Church I hear by them whom I caused attend, that the number of communicants far exceeding that of the High Church, very few of them kneeled." He ventures to suggest that "time and convenience shall prevail more to reduce them to conformity than sudden or vehement instance;" and he fears "lest the scandal and difficulty of the remede be more hurtful than the toleration for a short space—the trouble of a rascally multitude for a subject which is pretexed with conscience not seeming seasonable." [1]

The opposition became more than tacit. Some citizens united together to co-operate on the common understanding, not only to abstain from kneeling, but to hold aloof from those who knelt.[2] The king poured in angry letters on his perplexed advisers, and repeated his favourite threat of depriving the capital of every spark of light from the royal countenance, by removing the establishments of the Government and the courts of law elsewhere. A pamphlet denouncing the Five Articles passed from hand to hand, and was greedily read. The result of a close inquisition was the assurance that it could not have been printed in Edinburgh; and in fact it was published at Middelburg, whence copies of it were brought to Scotland.

A certain William Rigg, an affluent citizen, was believed to have helped in the importation of the pamphlets, and to have otherwise actively assisted in opposition to the Five Articles. Of him the king determined to make a victim, by charging on him a fine so large as to be virtual confiscation. This spread a lively

[1] Melros Papers, *637; Letters (Bannatyne Club), 712.
[2] Letters (Bannatyne Club), 757.

alarm, as a precedent full of danger. Other punishments stood as questions between the executive and the individual sufferer; but confiscation was apt to be measured more by the necessity or avarice of the Crown than by the misconduct of the sufferer. It was, in fact, taxation by the executive without the consent of Parliament; and the English constitutional party were becoming alarmed by devices to accomplish that object. Those to whom the king imparted his design thought it so dangerous that they concealed it not only from the public, but from their fellow-councillors. They found, however, that the "bruit" of it had got abroad; and with profuse expressions of humility and obedience they say: "As the Lord knows, we have no other thing before our eyes but your majesty's honour and the general content of your subjects. What the first raising of the uncertain bruit of this fine, whereof the particulars is yet unknown unto them, were so moved with the rareness of the matter, and the apprehension of fear upon the preparation and consequence thereof, as we have not heard of a matter so hardly tane with, and so dangerously apprehended by all ranks of persons. For the like of this fine was never heard of in this kingdom; and there never was a crime, how grievous soever, whilk was punished by fining that received such a censure. Nor can the means of private persons afford such sums; and the man himself, although in the general opinion he be wealthy, is not known to have so much stock as the sum imposed. And if it be left in record, it will import the effect of ane forfeiture, and a depriving him of his whole estate, whilk, in a matter of this kind, respect being had to the quality of the offence

and quantity of the fine, will not be warranted by example, and in the opinion of many will not subsist by course of justice. The consideration whereof hath moved us heathertills to conceal the fine, being persuaded that the Council would never allow thereof; and we were loath that any of your majesty's directions should receive an interruption or hard interpretation."[1]

It is interesting to have in the end to show that the last public act of King James affecting the subjects of his ancient kingdom imported a decided misgiving about the violent onward course pursued by him, and was in fact a revocation of the latest step taken in it. That step was indeed the climax of his policy of force. A proclamation had been issued enjoining a special Christmas communion. It began with much scolding, directed against the recusants, as, "Misled with their own conceits and opinions, and with an hypocritical affectation of purity and zeal above others." The conclusion was: "That the communion be celebrated in all kirks of our burgh of Edinburgh at Christmas next; and that all persons, as well of our Privy Council Session, magistrates of our burgh of Edinburgh, and all others, the community of the same, be all present, and take the communion kneeling; wherein if they fail, we, for that contempt of God and Us, will not only remove the Session, but also all other courts of justice from our said burgh."[2]

The corporation of Edinburgh put in a remonstrance against this injunction; and even some of the bishops represented to the king that it were better to give the recusants time to come to their senses. Deferring to

[1] Original Letters (Bannatyne Club), 753; Melros Papers, 573.
[2] Calderwood, vii. 622, 623.

these persuasions, it was proclaimed in December 1624, that "his majesty, following his accustomed gracious inclination, rather to pity nor to punish the errors and faults of his people; and by a loving and fatherly behaviour, patiently to abide some time of their amendment, and by gentle and fair means rather to reclaim them from their unsettled and evil-grounded opinions, nor by severity and rigour of justice to inflict that punishment whilk their misbehaviour and contempt merits." Thus influenced, his majesty was pleased to withdraw the offensive proclamation.[1]

We must not leave this story of political folly, tardily and imperfectly repented, without mentioning an occasion in which King James referred to these affairs in a confidential communing with one of his English advisers, to whom he expressed himself in such wise that, looking to what he says of the past, and to that future which we know but he did not, an inquirer, knowing nothing else about him, would assuredly class him among the wisest of human rulers. We have this revelation from Bishop John Hacket, a worldly priest, in his Life of one of the most worldly prelates that ever cast the shadow of the self-seeker on his order. But Hacket was a faithful narrator, and his story is strongly supported by internal evidence. The occasion was the promotion of William Laud, "a learned man and a lover of learning," to the humble see of St David's. The king was not easily entreated to give Laud a step in power as well as rank, and gave his reasons thus:—

"The plain truth is, that I keep Laud back from all place of rule and authority because I find he hath a

[1] Original Letters (Bannatyne Club), 773.

restless spirit, and cannot see when matters are well, but loves to toss and change, and to bring things to a pitch of reformation floating in his own brain, which may endanger the steadfastness of that which is in a good pass, God be praised. I speak not at random. He hath made himself known to me to be such a one; for when, three years since, I had obtained of the Assembly of Perth to consent to five articles of order and decency in correspondence with this Church of England, I gave them promise, by attestation of faith made, that I would try their obedience no farther anent ecclesiastic affairs, nor put them out of their own way, which custom had made pleasing to them, with any new encroachment. Yet this man hath pressed me to invite them to a nearer conjunction with the liturgy and canons of this nation; but I sent him back again with the frivolous draught he had drawn. It seemed I remembered St Austin's rule better than he: 'Ipsa mutatio consuetudinis, etiam quæ adjuvat utilitate, novitate perturbat' (Ep. 118). For all this he feared not mine anger, but assaulted me again with another ill-fangled platform to make that stubborn Kirk stoop more to the English pattern. But I durst not play fast and loose with my word. He knows not the stomach of that people; but I ken the story of my grandmother, the queen-regent, that after she was inveigled to break her promise made to some mutineers at a Perth meeting, she never saw good day, but from thence, being much beloved before, was despised by her people."[1].

This utterance of almost prophetic sagacity is the more notable that the time had not yet arrived when

[1] See chap. xxxvii.

the sinister interest of Laud appears on the political horizon like a star of evil omen, and that there was no public opinion to guide the king to his conclusion. In pressing Laud's claims, Williams was the agent of the favourite Buckingham; and the king yielded to his pressure, flinging him the parting taunt, "Then take him to you, but, on my soul, you will repent it." This was as true as the larger presage. The two prelates had a fierce contest, and Laud, who was the victor, would have brought his old patron to ruin had not his own troubles gathered round him.[1]

The religious squabbles which so indecorously disturbed the latter years of the reign of King James, were varied by an event announcing the germ of a new and healthy political growth. The creation of the province of Nova Scotia is usually associated solely with the fortunes of the Earl of Stirling and the extension of the dignity of Baronet to Scotland. It was in reality, however, the awakening of the national capacity for trade, manufacture, and colonisation. As an effort to accomplish immediate and mighty results in these shapes it was hardly successful; but it was an utterance of the national voice, proclaiming aspirations that, under happier conditions, were materially to influence the fate of the world. It was the earliest distinct manifestation of that national temperament and capacity which have done so much for trade and colonisation, and have furnished so many of those able men who reared the British empire of the East.

[1] A Memorial offered to the great Deservings of John Williams, D.D., who some time held the places of Lord Keeper of the Great Seal of England, Lord Bishop of Lincoln, and Lord Archbishop of York. By John Hacket, late Lord Bishop of Litchfield and Coventry. P. 64.

Sir William Alexander, afterwards Earl of Stirling, was known in his day as a traveller who had seen many lands, as a poet, and as a statesman. It will be presently seen that he had some claim to renown for his early services to what is now called political economy. By a royal charter, dated on the 10th of October 1621, he got a grant of the territory in North America called "New Scotland." In the Latin charter the name was translated "Nova Scotia;" and, oddly enough, that name was taken by the territory, and is retained by part of it at the present day. He was authorised to divide this territory into a thousand allotments, and to offer the dignity of a baronet to every adventurer who should take charge of an allotment.

The ulterior objects of the project will be seen in the following considerations. For centuries Scotsmen had found their own country too narrow for their energies and aspirations, and had become a byword for seeking their fortunes abroad and swarming over Europe. In return for maintenance, waxing often into wealth, rank, and power, the standard commodity rendered by them in return was the mastery of the sword. It was an ill-assorted bargain, for the free Scot had often to lend his hand in consolidating the power or exercising the cruelty of the despot. There was another field of exertion, worthier but narrower, in the republic of letters. But with the progress of civilisation, a new temptation had arisen to lure the Scot away from his own people: this was trade, and the many departments of business and skilled industry connected with its progressive advancement. In those districts where the Jew is to be found at the present day, the Scot

was found in the seventeenth century. He discovered a good investment for his skill, sagacity, and endurance in Poland, Russia, and other territories occupied by tribes inapt at business and affairs.[1]

It was a natural thought to regret that these qualifications should be absolutely removed into foreign countries instead of serving Scotland. If Scotland had not room for the energies of her sons, let her enlarge herself by a due share of that boundless territory open to all comers on the other side of the Atlantic. The effort struggled against a difficulty unseen and unmeasured, like the difficulties that come in nightmare dreams. The capital to give it effective existence was wanting; and it could only make a beginning, and indicate what might gradually come into existence, when the inhabitants of Scotland, having accumulated riches at home, could afford to make use of the fresh and fruitful soil awaiting the plough.

In the maps of the day, all the territory north and north-east of New England, to the St Lawrence and its gulf, is "New Scotland," with rivers and estuaries bearing such old beloved names of home, as Clyde, Tweed, Solway, and Forth. It is observable that this

[1] William Lithgow, a wandering Scot of the seventeenth century, taking Poland on his way in one of his rambles, says: "The soil is wonderful fruitful of corns, so that this country is become the granary of western Europe for all sorts of grain, besides honey, wax, flax, iron, and other commodities. And for auspiciousness, I may rather term it to be a mother and nurse for the youth and younglings of Scotland than a proper dame for her own birth, in clothing, feeding, and enriching them with the fatness of her best things, besides thirty thousand Scots families that live incorporate in her bowels. And certainly Poland may be termed in this kind the mother of her commons, and the first commencement of all our best merchants' wealth, or, at the least, most part of them."—Lithgow's Travels, eleventh edition, p. 400. How different all this is from the present position of Scotland to Poland!

project received welcome and help from England, instead of encountering the jealousy and hostility that afterwards crushed the hapless Darien scheme. Possibly, owing to the lingering influence of feudalism, the supreme tyranny generated by the jealous assertion of trading privileges and monopolies had not yet settled down, with all its sordid and cruel influences, on the English mind.

The French had gone before in the project of American colonisation; and we see in his notices of some of their failures how shrewdly Alexander foresaw the leading moral difficulty infesting emigration from its beginning and onward to the present day. He saw in the French settlement men "who had not gone thither intending what they pretended out of a clear resolution to inhabit that bounds, but did only flee from some inconveniences that had vexed them at home. Such men, as hating labour, they could not industriously serve by their endeavours in a mechanic trade; so were they not capable of generous inspirations that provoke magnanimity, but, habitually bred to vice, were natural enemies to virtue."[1]

This was a hint from the experience of the great French colonial projector Champlain; and from what he had seen, Alexander was enabled to lay before his countrymen a vision of a mysterious, but for that all the more attractive, field open to the efforts of the bold adventurer. It will be seen how little is made of that wonder of the world the Cataract of Niagara, in these

[1] 'The Map and Description of New England, together with a Discourse of Plantations and Colonies,' by Sir William Alexander, Knight. Reprint in Laing's 'Royal Letters, Charters, and Tracts relating to the Colonisation of New Scotland and the Order of Knight Baronets of Nova Scotia.' P. 10.

misty glimpses into a territory now as well known to mankind at large as the most fruitful districts of France and England:—

"Champlain hath discovered the river of Canada from the gulf upwards above twelve hundred miles, finding in it sometimes such falls as, to escape the same, he must carry his boat a little way by land; and then he did many times come to great lakes, at the end whereof he did always find a river again; and the last lake where he came was a very long one, judged to be three hundred miles in length. By the report of some savages, who did affirm unto him that at the further end thereof they did find salt water, and that they had seen great vessels, which made Champlain believe that a passage might be there to the Bay of California, or to some part of the South Sea, which would prove an inestimable benefit for the inhabitants of those parts, opening a near way to China, which hath been so many sundry ways with so great charges so long sought for: howsoever, in regard of the season, and for want of necessary provisions, Champlain did return back at that time with a purpose to go again another year, which if he hath done is not yet known; but this is most certain, that the river of Canada hath a long course, and through many goodly countries. Some of these great lakes, by sending forth or by receiving great rivers, do afford means of commerce as far as to some parts of Terra Florida, as may be gathered by Champlain's discovery."[1]

At that time Scotland had a hardy and adventurous seafaring population. They chiefly inhabited the small towns that fringe the coast of Fife, where may

[1] Laing's Royal Letters, &c., 23, 24.

yet be seen the houses of the skippers and traders of the day, proving the wealth and comfort in which they lived. The method of the trade pursued by these men would not justify them on a close scrutiny according to the law and morals of the high seas in the present day. There was little smuggling or contraband among them—that was a pursuit scarcely worth their while; but few of them were free of the stain of piracy. They frequented chiefly the Spanish main; but they also haunted the new territories in the north, where they did business in furs and fish. These were not the men to settle down as quiet permanent colonists; and among the upland folk of Scotland there were strong prejudices against all attempts to settle in distant wilds, and under conditions of practical life unknown not only to themselves, but to the human race at large. "The very people," says the projector, "specially artisans, of whom I stood in need, were at first loath to embark for so remote a part as they imagined this to be, some scarce believing that there could be any such bounds at all; and no wonder, since never any in that part had ever travelled thither, and all novelties being distrusted or disvalued, few of good sort would go, and ordinary persons were not capable of such a purpose."[1]

A small body went out in 1622, in advance of the founder—the pioneers of the colony. They found themselves too isolated and feeble to attempt actual settlement, and supported themselves until succour came by the ever-profitable occupation of fishing on the bank of Newfoundland. Among other casualties when they were joined by their chief, "their minister

[1] Laing's Royal Letters, &c., 33.

and smith—both for spiritual and temporal respects the two most necessary members—were both dead." Alexander, arriving with the second part of the expedition, gathered up these stragglers, and all doubling Cape Breton, sailed southwards, and landed on the great peninsula now known as Nova Scotia. The result of some explorations was successful, and when skilfully described, even alluring:—

"They found, a great way up, a very pleasant river, being three fathom deep at a low water at the entry thereof; and on every side of the same they did see very delicate meadows, having roses white and red growing thereon, with a kind of wild lily, which had a dainty smell. The next day they resolved (coasting along the land) to discover the next harbour, which was but two leagues distant from the other, where they found a more pleasant river than the first, being four fathom deep at a low water, with meadows on both sides thereof, having roses and lilies growing thereon as the other had. They found within this river a very fit place for a plantation, both in regard that it was naturally apt to be fortified, and that all the ground between the two rivers was without wood, and very good fat earth, having several sorts of berries growing thereon—as gooseberries, strawberries, hindberries, raspberries, and a kind of red wineberry—as also some sorts of grain, as peas, some ears of wheat, barley, and rye, growing there wild. The peas grow in abundance along the coast, very big and good to eat, but did taste of the fitch. This river is called Port Jolly, from whence they coasted along to Port Negro, being twelve leagues distant, where all the way as they sailed along they spied a very pleasant

country, having growing everywhere such things as were observed in the two harbours where they had been before. They found likewise in every river abundance of lobsters, cockles, and other shell-fishes; and also, not only in the rivers but all the coast along, numbers of several sorts of wild-fowl—as wild-goose, black duck, woodcock, crane, heron, pigeon, and many other sorts of fowl which they knew not. They did kill, as they sailed along the coast, great store of cod, with several other sorts of great fishes. The country is full of woods, not very thick, and the most part oak; the rest are fir, spruce, birch, with some sycamores and ashes, and many other sorts o wood which they had not seen before."[1]

We have the following account, clear and circumstantial, of the share demanded by and conceded to Scotland in the division and parcelling of this new world:—

"Being much encouraged hereunto by Sir Ferdinando Gorge and some others of the undertakers for New England, I shew them that my countrymen would never adventure in such an enterprise unless it were as there was a New France, a New Spain, and a New England, that they might likewise have a New Scotland, and that for that effect they might have bounds with a correspondencie in proportion (as others had) with the country whereof it should bear the name, which they might hold of their own Crown, and where they might be governed by their own laws; they wisely considering that either Virginia or New England hath more bounds than all his majesty's subjects are able to plant, and that this purpose of mine,

[1] Laing's Royal Letters, &c., 35, 36.

by breeding a virtuous emulation amongst us, would tend much to the advancement of so brave a work, did yield to my desire, designing the bounds for me in that part, which hath been questioned by the French, and leaving the limits thereof to be appointed by his majesty's pleasure, which are expressed in the patent granted unto me under his great seal of his kingdom of Scotland, marching upon the west towards the river of St Croix, now Tweed (where the Frenchmen did design their first habitation), with New England, and on all other parts it is compassed by the great ocean and the great river of Canada; so that, though sundry other preceding patents are imaginarily limited by the degrees of the heaven, I think that mine be the first national patent that ever was clearly bounded within America by particular limits upon the earth."[1]

The available character of the district was of course one great point; but there was another of no less importance—how far the Scots were a people fitted to avail themselves of the opportunities afforded to them. Colonisation—enterprise not among the old-established communities of Europe, but on barren lands which were to smile into fruitfulness under their beneficent industry, was new work to his countrymen; and yet the experience of later times shows that his estimate of their capacity for the work was not far wrong:—

"When I do consider with myself what things are necessary for a plantation, I cannot but be confident that my own countrymen are as fit for such a purpose as any men in the world, having daring minds that upon any probable appearances do despise danger,

[1] Laing's Royal Letters, &c., 32.

and bodies able to endure as much as the height of their minds can undertake, naturally loving to make use of their own ground, and not trusting to traffic. Then Scotland, by reason of her populousness, being constrained to disburden herself (like the painful bees), did every year send forth swarms, whereof great numbers did haunt Pole with the most extreme kind of drudgery (if not dying under the burden), scraping a few crumbs together, till now of late that they were compelled, abandoning their ordinary calling, to betake themselves to the wars against the Russians, Turks, or Swedens, as the Polonians were pleased to employ them; others of the better sort being bred in France, in regard of the ancient league, did find the means to force out some small fortunes there, till of late that the French, though not altogether violating, yet not valuing (as heretofore), that friendship which was so religiously observed by their predecessors, and with so much danger and loss deserved by ours, have altered the estate of the guards, and do derogate from our former liberties." [1]

These words touched the source of certain misgivings long dwelling in the Scottish mind about the ultimate advantage of the conjunction with England. Had that, which no doubt had made a strong compact empire, really been propitious to Scotland, looking at what it took away as well as what it gave? There were many lingering aspirations after that congenial harvest of the ancient league with France, reaped by the little army of choice spirits who formed the Scots guard. This still had, and retained long afterwards, existence in name; but the really Scottish

[1] Laing's Royal Letters, &c., 38.

element dropped gradually out of it, as a natural result of the political conditions which made the Scots no longer useful to France as the most effective and destructive enemies of England. The new openings for the Scots abroad, whether as traders, or as mercenaries in the armies engaged in the Thirty Years' War, were a sorry contrast to the chivalrous organisation and the lofty privileges of that body who were the special guardians of the greatest of European thrones, hence—

"The Low Countries have spent many of our men, but have enriched few, and (though raising their flight with such borrowed feathers, till they were checked by a present danger) did too much vilipend these favourable springs by which their weakness was chiefly refreshed. But howsoever some particular men might prosper under a foreign prince, all that adventure so do either perish by the way, or if they attain unto any fortune, do lose the same by some colour that strict laws urged against a stranger can easily afford."[1]

[1] Laing's Royal Letters, &c., 38, 39. The following curious analysis of the defects of other nations as colonists is not without some measure of practical truth at the present day :—

"This is no wonder, that the French, being so slightly planted, did take no deeper root in America ; for they, as only desirous to know the nature and quality of the soil, and of things that were likely to grow there, did never seek to have them in such quantity as was requisite for their maintenance, affecting more, by making a needless ostentation, that the world should know they had been there, than that they did continue still to inhabit there, like them, that were more in love with glory than with virtue. Then being always subject to disunions amongst themselves, it was impossible that they could subsist, which proceeded sometime from emulation or ennui, and at other times from the laziness of the disposition of some, who (loathing labour) could be commanded by none, who would impose more upon them than was agreeable with the indifference of their affections and superficial endeavours."

He described the English as free from these defects, and industrious,

New Scotland was too close to the centre of the contests between the French and British settlers in America to be a good emigration-field. In 1628 we find Sir William Alexander's colonists repelling the efforts of the French to appropriate their territory. From that period they appear no more in colonial history as a separate Scottish colony; and there are no means of knowing how large a Scottish element continued through the contest, which ended in the cession of the district to the United Kingdom of Great Britain at the Peace of Utrecht.

But, in fact, difficulties in the new dominions of their king had opened to the Scots a more attractive emigration-field close at hand. What made those great potentates of the north of Ireland, Tyrone and Tyrconnel, take panic flight to the Continent, abandoning their dominions to the mercy of the Government, is one of the mysteries to be dealt with by the historians of Ireland. The event left the wide territory of Ulster headless. This gave opportunity for the great "plantation" scheme. It displaced the native occupiers by two operations — the territorial rights of the higher were forfeited, and the position of the humbler, in relation both to the soil they cultivated and to their superiors, was so strictly adjusted to the usages of the Saxons, that the Celt could not endure an abode among them. The Scots of Galloway and Carrick had to struggle with a miserable soil; and here

but destitute of forethought and avaricious of immediate returns; "applying themselves to tobacco and such things as might import a present commodity; neglecting the time that might have been employed for building, planting, and husbandry; so that they did live but like hired servants labouring for their masters, and not like fathers providing for their family and posterity."—P. 36, 37.

were fertile acres close by offered on easy terms to their industrial enterprise. An Englishman who, while the plantation was going on, travelled from Glasgow to Carrick, said: "We passed through a barren and poor country, the most of it yielding neither corn nor grass; and that which yields corn is very poor, much punished with drought." Then crossing the Channel, he saw in contrast how "from Belfast to Linsley Garven is about seven miles, and is a paradise in comparison of any part of Scotland." At the period of these notices, the spirit of migration had spread northwards; and the traveller says: "We came to Mr James Blare's, in Irwin, a well-affected man, who informed me of that which is much to be admired—above ten thousand persons have, within two years last past, left the country wherein they lived, which was betwixt Aberdeen and Inverness, and are gone for Ireland. They have come by one hundred in company through the town, and three hundred have gone on hence together, shipped for Ireland at one tide."[1]

Such were the latest transactions during the lifetime of King James that had much either of influence or interest in his ancient kingdom. He died on the 27th of March, in the year 1625; and from the moment of his death, although the event was of course unknown, the reign of his son was held to have begun in Scotland as well as in England.

[1] Brereton's Travels, 118, 119, 129.

CHAPTER LXVII.

Charles II.

THE NEW REIGN—ITS TONE AND CHARACTER—CONTRAST WITH THE PRECEDING—SUSPICIONS OF THE ZEALOUS PRESBYTERIANS—CONSTERNATION AMONG THE HOLDERS OF THE OLD ECCLESIASTICAL PROPERTY—SYMPTOMS OF VIOLENT RESISTANCE—STEPS TOWARDS RESUMPTION—THE COMPROMISE—THE SUBMISSION OF THE RIGHTS OF THE HOLDERS TO THE KING—THE PROCESS—THE ADJUSTMENT—COMMUTATION OF TEINDS OR TITHES—QUESTION IF THE ADJUSTMENT FINAL—SUSPICIONS—THE KING'S VISIT TO SCOTLAND—THE ESTATES—TAMPERING WITH THEIR POWERS—FIRST QUARREL BETWEEN CROWN AND PARLIAMENT IN SCOTLAND—ECCLESIASTICAL FEATURES OF THE ROYAL VISIT—RISING INFLUENCE OF WILLIAM LAUD.

ANY one who is familiar with the State papers, the correspondence, and the pamphlets of this period—with the raw materials of its history—becomes conscious of a vital change as he crosses the line between the two reigns. He is no longer with the garrulous egotist, obstinate in some matters, but infirm of purpose and easily entreated in others, impetuously proclaiming his absolute will, and then repenting or tiring of the protracted contest with opponents. There comes now a steady policy and a fixed purpose on all things. The subordinates are the same, and continue in pursuit of the same views and objects; but now they work

under a leader who will carry them straight on to conquest, in the spirit which Strafford called "thorough." The Government is grave, resolute, and earnest. Every act tends onwards; and even when there is a halt or a retreat, it is part of the strategy that is to lead more surely to victory. The opposite force is immediately conscious of the change. It is no longer the half-mocking obstinacy that baffled King James in his impetuous resolutions and profuse gifts which he could not make good. The opposition becomes as stern and as firm of purpose as the aggressive Government. The contrast is far more distinct in Scotland than in England, for reasons of a very obvious character. There the action of the common law and the practice of Parliament had taken far deeper root in precedent and system than any constitutional organisations in Scotland, and were consequently less easily shaken. There, too, the ecclesiastical principles and practice which were to be forced on Scotland were in peaceful possession. Then the quantity of dubiously-fluctuating property which had arisen out of the dispersal of the Church revenues was still, apart from all other agencies, a distinct element of disturbance in Scotland. King James, with his personal peculiarities and humours, was an essential feature in the political state of Scotland, giving the final touch to the uncertainties and incoherences of its condition; and when the political parties in his ancient kingdom found themselves in the hands of his grave son, it made something like a reversal of that dramatic arrangement which, after the audience have been saddened by the tragedy, restores them to cheerfulness by the drolleries of the farce.

The new king had not been two months in possession when the equanimity of the more zealous opponents of the old religion was disturbed by the news that he had brought home a Popish wife, Henrietta Maria, the daughter of Henry IV. of France.[1]

But this domestic event was only a brief interruption to an act of more distinct and formidable import. In the month of November the town of Edinburgh, and presently all Scotland, was stirred by a royal proclamation made in the usual form by heralds at the market-cross. It announced a general revocation by the new king of all grants by the Crown, and all acquisitions to the prejudice of the Crown, whether before or after his father's Act of Annexation in 1587. This was virtually the proclamation of that contest of which King Charles was destined never to see the end. It professed to sweep into the royal treasury the whole of the vast ecclesiastical estates which had passed into the hands of the territorial potentates from the Reformation downwards, since it went back to things done before King James's annexation. "Teinds," or tithes, as we have seen, were not named in King James's Act, but they were specified in King Charles's proclamation. He held that what the Crown had given the Crown could revoke; and the terms used by him were interpreted as a revocation, through the exercise of the royal prerogative, of those grants which had been fortified by a Parliamentary title in being confirmed by Act of the Estates. This revocation swept up not only the grants made by the Crown, but the transactions, made

[1] Row, the historian of "the Kirk," tells us: "It is very remarkable that the queen's mass, the pest of the soul, and a most raging pestilence killing bodies, came to London together. Oh that men had eyes in their heads to see, and hearts to consider, the Lord's ways!"—P. 339.

in a countless variety of shapes, by which those in possession of Church revenues at the general breaking up, connived at their conversion into permanent estates to themselves or to relations, or to strangers who rendered something in return for connivance in their favour or for assistance in some shape to enable them to take possession. It was maintained, on the king's part, that the receivers of these revenues, which had belonged in permanence not to the men who drew them, but to the ecclesiastical offices to which they were attached, were illegal; and had this view been taken at the beginning, instead of standing over for upwards of sixty years, we, looking back upon it from the doctrines of the present day, must have pronounced it to be a correct view. The revenues of suppressed ecclesiastical offices are now held to belong to the nation, and are protected by Parliament from appropriation by greedy and powerful men.

The armed contest which broke forth twelve years afterwards has had so much more attraction for the world, that this, virtually the first act of war, has received scant attention; and therefore, whatever we can find to elucidate its immediate impression and influence is valuable. Sir James Balfour, an active courtier and statesman, calls it that revocation "of which the kingdom received so much prejudice, and in effect was the ground-stone of all the mischief that followed after, both to this king's Government and family; and whoever were the contrivers of it deserve, they and all their posterity, to be reputed by these three kingdoms infamous and accursed for ever."[1]

It was believed to be for the creation of a force to

[1] Annals, ii. 128.

further this project that a revolution was effected on the bench by dismissals and new appointments. At the same time, in connection with sinister rumours about the feats of the prerogative in England, the king appointed a new tribunal in Scotland, to be called the "Commission for Grievances." It scarcely took sufficient root to be visible in history. Sir James Balfour says of it: "The wisest and best-sighted not only feared, but did see that this new commissional court was nothing else but the Star-Chamber Court of England under ane other name, come down here to play the tyrant, with a specious visor on its face. But after much debate between the nobility then at Court and his majesty thereanent, it being sorely cried out against by all honest men, it evanished in itself without so much as once meeting of the commissioners therein named."[1]

It was clear, from the spirit in which the revocation was received, that, as an act of the prerogative not backed by the Estates, it would be defied, and that in their present humour the Estates would not back it. The king fought for some time a harassing personal contest with those potentates whom it was of most importance to gain. The largest owners of ecclesiastical revenues were the houses of Hamilton and Lennox; and we are told that these were induced to give up revenues sufficient to endow the two archbishoprics, "by a secret purchase, and with English money," that a good example might be set to other owners of ecclesiastical revenues.[2]

In the year 1628 Lord Nithsdale was commissioned

[1] Annals, ii. 131.

[2] Burnet's Summary of Affairs before the Restoration.

to deal with the chiefs of the powerful body who had acquired the ecclesiastical revenues. The following curious and emphatic story of his mission is told by Bishop Burnet:—

"Upon his coming down, those who were most concerned in those grants met at Edinburgh, and agreed that when they were called together, if no other argument did prevail to make the Earl of Nithisdale resist, they would fall upon him and all his party in the old Scottish manner, and knock them on the head. Primrose told me one of these lords—Belhaven, of the name of Douglas—who was blind, bid them set him by one of the party, and he would make sure of one. So he was set next the Earl of Dumfries. He was all the while holding him fast; and when the other asked him what he meant by that, he said, ever since the blindness was come on him he was in such fear of falling that he could not help the holding fast to those who were next to him. He had all the while a poniard in his hand, with which he had certainly stabbed Dumfries if any disturbance had happened. The appearance at that time was so great, and so much heat was raised upon it, that the Earl of Nithisdale would not open all his instructions, but came back to Court, looking on the service as desperate; so a stop was put to it for some time."[1]

Before absolutely believing in this savage story, we would require to have it on authority better than that of so arrant a gossip as Burnet, who was born about fifteen years after its period. But unless there had been reason for it in the temper of the men he speaks of, he would not have ventured to tell it.

[1] Burnet's Summary of Affairs before the Restoration.

The class to be affected by a resumption of ecclesiastical property was of course limited, and it will be proper to look to the nature of the limitation. The project opened a tempting prospect for Churchmen; but the Presbyterian party had been increasing among the clergy, and they knew that the benefit of the resumption was not to be for them—rather it would give their adversaries strength to drive them out of the Church. The heirs to the wealth of the old Church nearly all belonged to the higher territorial aristocracy; hence the political distribution of Scottish parties was anomalous. The aristocracy and the more plebeian party in the Church were arrayed against the Crown and the prelates. There was a severance rather of personal feeling and pecuniary interest than of political temper between the high aristocracy on the one hand, and the smaller gentry and members of the middle class generally on the other. By peculiar causes, which yet are quite simple when examined, the owners of the Church property had interests antagonistic to those of the ordinary owners and cultivators of the soil. The mixed class of small landowners and farmers—the parallel of the yeoman class in England—had increased and strengthened. Their small holdings had grown by degrees, and were the fruit of peaceful industry and frugal tending. These were not the class who could seize on the patrimony of the Church. When property changes hands by masterful confiscation, it is the strong-handed who obtain it. At the time of the Reformation the larger territorial aristocracy had the strength of the country in their hands, and so to them the prizes fell.

A large part of these revenues came in the shape of

tithe drawn in kind—the tenth part of the produce of the land. Those lay lords who succeeded to these rights of the old Church were called "the titulars of the teinds," teind being old Scots for tenth, called in England tithe. This fund it was usual to call "the spirituality" of benefices, as a divine right inherited by the clergy from the Jewish dispensation, the separate estates enjoyed by the clergy being called temporalities. In many instances the possession of these separate estates made the titulars of the tithes also the lords-superior over vassals who had to pay the tithe, while, as the holders of Church estates, they were not themselves subject to feudal dependence on the Crown. It was maintained that, from the great power thus wielded by them, the lay titulars of the tithes were more rapacious and unreasonable in the exaction of their rights than the Romish clergy had been. It is ever so with grievances—that which men are enduring exceeds the traditional sufferings of prior generations. But the increased stringency in the exaction of the tithes since they had fallen into lay hands, was asserted in a very distinct manner by the king as a vindication of his conduct. He explained how the lay titulars "did use and practise the uttermost of that severity which the law alloweth them; how they would not gather their tithes when the owners of the corn desired them, but when it pleased themselves; by which means the owners, by the unseasonableness of the weather, were many times damnified to the loss of their whole stock, or most part of it."[1] And in a proclamation about the revocation, he explains that "his majesty's desire is to free the gentry of this king-

[1] Large Declaration concerning the late Tumults.

dom from all those bonds which may force them to depend upon any other than his majesty; that the said teinds may no longer be, as they have been heretofore, the cause of bloody oppressions, enmities, and of forced dependencies."[1] The king's advisers thus found a class whose interests and influence already weighed, or might be made to weigh, against the great owners of the ecclesiastical estates.

The position of the king's servants in Scotland was at this point difficult and delicate. They had to advise them a lawyer of great skill, and full of resources professional and political—the same Thomas Hope who defended the Presbyterian members of the Aberdeen Assembly, and afterwards became a champion of the Covenant. The policy adopted by him was to threaten boldly, and act moderately to those who begged for terms. We have already seen it as a peculiarity in Scotland, that the forms of law applicable to small private transactions between man and man were applied for the accomplishment of great public objects. At this day, if the son finds himself deprived of his inheritance by a settlement which his father had no right to make, or which has been made with flaws or defects, he brings "an action of reduction" to have it denounced as waste paper. Sir Thomas Hope drew the "summons" or initial writ of an Action of Reduction against all the lay holders of ecclesiastical property; and the student of existing practice might be surprised to find how modern an air it has, and how closely it resembles in tenor its representative in the style-book of the nineteenth century. The position to be made good was formidable and compre-

[1] Connel on Tithes, iii. 58.

hensive. It was the assertion of the sovereign, "having good and undoubted right to all Kirk lands within this kingdom, by Act of Annexation, as being universal patron of all abbacies, priories, and all other ecclesiastical benefices by the right of our crown, and being obliged by our oath to be given by us at our coronation in Parliament, &c., to maintain the hail lands and rents pertaining to the Crown and Kirk within the said kingdom, and so having just and necessary interest to pursue the action of reduction and improbation after specified, to the effect the patrimony of the Crown may be restored, the kirks sufficiently planted, colleges, schools, and hospitals sufficiently maintained, and the gentry of our kingdom relieved of the heavy burthens used against them in leading of their teinds."[1]

There was some stormy discussion about this hostile step. A deputation of the great men interested in resistance to it set off to lay their case before the king, but were stopped by his order when they had reached Stamford. They forwarded to the Court a memorial, which the king denounced as "of a strain too high for subjects and petitioners," and they were only permitted at last to appear before him as penitents and supplicants.[2]

It was now understood that against all who absolutely resisted a resolute battle would be fought. A commission was appointed to "deal" with those concerned—to sound them as to the compromise which they would accept as a final settlement of all claims and disputes. The policy of this device was, that through and through the whole mass of entangled

[1] Connel on Tithes, iii. 68.

[2] Forbes's Treatise of Church Lands and Tithes, 261.

titles and claims, each should give up something of that which was precarious for a secure and recognised title to the remainder. Again there was recourse to one of the remedies applicable to private disputes. If two dealers differ about the tenor of a transaction, and agree to submit it to the arbitration of a third party, they do so in Scotland by executing what is called a "submission." After much dealing, the various groups of persons who had each an interest in the mixed dispute about the revenues that had belonged to the Church, each agreed to a "submission" of their claims to the arbitration of the king. The whole affair now, of course, naturally dispersed itself into a collection of voluminous discussions, resembling so many litigations. These discussions resolved themselves by degrees into certain prevalent principles. A proportion from the property in dispute was taken as a tax to the Crown, and a farther portion was assigned to the support of the clergy. The Crown insisted on establishing a feudal superiority over the whole property at issue, such as it had over all the lay property in the land; and this assertion, by the incidental feudal dues which would follow upon it, made a further addition to the revenue.

It would be wrong to omit one conclusion of these tedious transactions, which, whether by accident or sagacious design, accomplished an end in harmony with a cherished principle of the existing school of political economy. That an old permanent rent-charge on land does not participate in the nature of a tax, is a principle now current in so clear and decisive a form as to make us wonder how there ever should have been doubt or confusion about it. On the other

hand, it is equally clear, that if the charge be not a fixed sum out of the rent, but a proportion of the produce, there is then a tax. If Agricola has a hundred acres of land for which he receives a hundred pounds a-year; and from time immemorial—probably long before the earliest traces of his own title—Clericus has been entitled to ten of the hundred pounds,—the pecuniary situation is the same as if Agricola owned ninety of the acres and Clericus the other ten. But if the demand of Clericus be a tenth part of the produce, he taxes industry and capital. If Agricola, for instance, out of his gains by merchandise or professional industry, expend a thousand pounds in the drainage of the land, he has virtually to give a hundred pounds to the man who can take a tenth of the produce. If this claim on a tenth of the produce be arrested at any point of time, and commuted into a fixed charge equivalent to its value at this point of time, such a charge will gradually, as years pass, lose the character of a tax, until at last this character is extinguished. One of the leading conclusions of this long process was, that the tithe was "commuted." It was thereafter to be a fifth part of the rent; so that a tenth part of the produce was held to be on an average twice the amount of a tenth part of the rent. The owners of tithable property were empowered to compel the titular to sell his right of tithe, or of a fifth part of the rent, as it now stood. The price to be paid for it was adjusted at nine years' purchase. At the present day this would be considerably less than half the value of a rent-charge; but out of the commuted tithe had to be paid the stipend or salary of the minister of the parish. Thus, just before the commencement of the great troubles of the seventeenth

century, Scotland was relieved of a difficulty which infested the rest of the United Kingdom with discontents and squabbles down to the present generation.

The results of these multifarious proceedings were swept up into general conclusions, and ratified by the Estates at their meeting in 1633, at which, as we shall see, the king was present. This ratification resembles the general treaty that winds up a confusing series of diversified diplomatic communications and conferences. Among all parties to the arrangement — the king included—there was, up to the point of recognition by the Estates, only an understanding to further the arrangement. Many members of the Estates were interested in the affair in one or other of the different relations in which the parties stood to each other, and as a body they considered themselves bound to give it that sanction which, whatever the king might think of the amplitude of his prerogative, was absolutely necessary to give the power of law to the adjustment.[1]

An invidious question here forces itself into notice by the vehement discussion it has caused, Was the adjustment final in the minds of the king and his advisers? From attempts, made at considerable intervals, to reach distinct conclusions through the bewildering mazes of the "Commission of Teinds" and "the submissions," the impression reached by me is, that the king and his advisers considered the settlement final as to the matters comprehended in it. The vast extent of hard work in detail, accomplished by a large and promiscuous body of men earnestly engaged, could scarcely have been encouraged as it was, unless for the accomplishment of a practical and valuable object. The collection, arrangement, and recording of

[1] Act. Parl., v. 23-39.

the minute details were all so many obstructions to any revocation of the settlement, by creating innumerable rights and claims which had been examined and admitted by those having authority to adjust them. It was the accomplishment, though not in his own way, of what the king afterwards said he intended—his prerogative act of revocation once acknowledged and dutifully obeyed, he was to deal forth magnanimous justice, flavoured with generosity, and to respect whatever partook of the nature of an equitable claim.

But over such secondary considerations must prevail the predominant force, that Charles was a fanatic who set certain objects before him to be accomplished at whatever cost and by whatever means; and if lulling suspicion were one of these means, however much it cost in labour and breach of faith, it was to be employed. True; but the question remains, whether all that he threatened in his proclamation came within the designs of his fanaticism. He determined to enlarge the exercise of the prerogative, and to mould the Church of Scotland on the model of the Church of England, if not even to bring it a step nearer to perfection. But was he also one of those who counted it to be sacrilege to permit that an acre of the lands or a coin of the money once dedicated to the Church should ever pass into the hands of a layman? We are not driven to this conclusion by his dealing with England. There, although the benefices of the secular clergy had not been swept off as in Scotland, princely estates had been raised out of the domains of the religious houses; and we have no warrant for adding a design for the restoration of these to the calamitous projects of his reign.

It is certain, however, that in Scotland there remained much uneasy suspicion that the last step in the disposal of the old ecclesiastical revenues had not yet been seen.[1] The recent rapid and comprehensive changes in the condition and ownership of property—changes far from satisfactory to all concerned—had probably a tendency to nourish restlessness and suspicion. To this King Charles refers in the vindication of his conduct which he issued at the commencement of the troubles. He announces his complaint by a very curious and characteristic definition of the laborious compromise which received the sanction of the Estates. The revocation, he says, at first caused alarm and discontent, "which we made account we had quickly rectified, by showing to all our subjects interested in that revocation our gracious clemency in waiving all the advantages which our laws gave us in many of their estates; so that after we had made it apparent to our subjects how obnoxious many of them and their estates were unto us and our laws, we likewise did make as apparent unto them our singular grace and goodness, by remitting not only the rigour but even the equity of our laws; insomuch that none of all our subjects could then, or can now, say that they were damnified in their persons or estates by that our revocation, or anything which ensued upon it: yet for all this, the principal present malcontents did then begin to persuade with such as they thought they

[1] A traveller passing through Edinburgh in 1635 says: "The clergy of late extend their authority and revenues." "And as I was informed by some intelligent gentlemen, it is here thought and conceived that they will recover so much of that land and revenues belonging formerly to the abbies, as that they will in a short time possess themselves of the third part of the kingdom."—Brereton's Travels, 100.

might be boldest with a disaffection to our government; and not seeing how they could obtrude upon them the old and usual pretence of discontent—viz., religion—by a strained and far-fetched inference, they did not stick to lay the envy of the procuring that harmless revocation, by which no man suffered, upon the present prelates, who in this were as innocent as the thing itself was."[1]

The Parliament of 1633, which completed the transactions about the Church property, afforded other matter of offence, both in the acts done and the method of doing them, and added the discontent of the minor barons and the burgesses to that of the greater men concerned in the ecclesiastical estates. An impost of the nature of an income-tax, which had been granted some years before as a special temporary aid to the king's brother-in-law, the Prince Palatine, was continued. It roused many grumblers, who called it an inquisitorial novelty; and, true to a feature of the national character, they complained that it exposed their poverty to the world.

It was observed, too, with some alarm, that the tactic of Parliamentary procedure had weak points which gave facility for the encroachments of the prerogative. We have seen that the Estates, though they consisted of distinct orders, were not divided into two houses like the English Parliament. Thus there was no separate representative body which, like the House of Commons, could separate itself from the collective assemblage of Parliament, and transact business in its own peculiar apartment, whence the king was excluded. We have seen that the Estates, as business accumulated on their

[1] Large Declaration concerning the late Tumults, 6, 7.

hands, remitted the working out of details to committees. There thus by degrees arose a predominant committee called the Lords of the Articles, by whom the details of all general legislative measures were adjusted. When they had finished their work, they sent up the several measures to the whole House for a vote of adoption or rejection. It is visible at once that such an arrangement might be so worked as to despoil a majority of great part of its power. There was no opportunity for that useful apparatus of Parliamentary tactic, the "amendment." The member of the Estates was prepared to vote against certain clauses of a measure, had they been separately put to the vote; but he was not prepared to vote against the whole measure because of his opposition to these clauses. Of course this gave opportunity to dexterous politicians so to adjust the measures that they should carry through as much unpopular matter as they could safely be laden with. Hence the English Commons wisely adjusted their practice of transacting in committee of the whole House the kind of business that in Scotland fell into the hands of a select committee.

On the present occasion it appeared to suspicious onlookers that the precedence of the prelates, which had been treated somewhat as a vain show, was put to practical service by the Crown. The committee was to consist of eight from each Estate. Eight prelates were chosen by the nobles or greater barons, and of these, eight were in turn chosen by the prelates. This looked like an equal reciprocity, but it was not. Of the prelates there were but twelve present, so that the choice was limited, while the eight nobles were picked

out of an attendance of more than sixty. And indeed had there been a wider choice among the prelates it would not have been material, for on the chief questions at issue they were all on one side. The sixteen thus appointed from the two higher Estates met, and selected eight from the lesser barons or representatives of the landowners, and eight from the burgesses or representatives of the municipalities.[1]

It was, and with some show of reason, asserted that this ingenious arrangement put the selection of the committee of Lords of the Articles entirely into the hands of the prelates, since they could surely count on eight out of more than sixty of the nobles co-operating with them.

The "Supplication" prepared after the conclusion of the Parliament treated this arrangement as an innovation, since it had been the practice for each Estate to choose its own share of the committee, and for the persons so chosen to discuss the business freely with their constituents. They could not, however, state a practice supported by precedent with such precision that their account of it could not be contradicted from the other side; and here was an instance of the impulsive irregularity of procedure which opened the business of the Scots Estates to the interference of the prerogative.[2]

[1] Act. Parl., v. 9.

[2] State Trials, iii. 606, 607. The method of electing the Lords of the Articles shifted from time to time in a manner too characteristic of Scottish Parliamentary practice, when compared with the uniformity and adherence to precedent of the English. The arrangements in successive Parliaments are so indistinct that they provide matter rather for archæological inquiry than historical statement. On the present occasion, however, the method of election is distinctly entered on the record. That there was a different method in the Parliament attended

The king gave diligent attendance on the meetings of Lords of the Articles as they brought the several Acts to maturity. They were then brought up to be adopted or rejected by the Estates at large. For the first time in the history of the Scots Estates we have distinct vestiges of a constitutional Parliamentary Opposition. A remonstrance was prepared and signed by several members, representing that the Committee of Articles were understood to be maturing measures, some of which were believed to be pernicious and oppressive, and desiring that there might be opportunity for a full discussion of their details in open Parliament.[1] But the Estates were assembled for their conclusive meeting before this document was fully signed and ready for presentation. There was some discussion at the meeting, and the tactic of including provisions offensive to the Opposition in the same Act with others for which they were prepared to vote was censured. There was an Act especially which embraced two things—a general acknowledgment of the royal prerogative, which all readily accepted; and a provision for the apparel of Churchmen, about the application of which there were grave suspicions: the Act authorised the king to dictate the apparel, and we shall see how he used this power. The measure professed to be but a renewal of certain laws adopted in the reign of King James; but it was noticed that

by King James in 1617, may be inferred from what Archbishop Spottiswood says: "The king having closed, and the Lords gone apart to choose those that should be upon the Articles, the humours of some discontented lords began to kithe; for whosoever were by the king recommended as fit persons were passed by as men suspected, and others named who stood worse affected to his majesty's service."—P. 531.

[1] See the Remonstrance in Row's History, 364.

it embraced in one Act matters which had been then so separated that in the Supplication it is pleaded: "Your supplicants have great reason to suspect a snare in the subtle junction of the Act 1609 concerning apparel with that of 1606 anent your royal prerogative, which by a sophistical artifice should oblige us either to vote undutifully in the sacred point of prerogative, or unconscionably on Church novations."[1]

It was said at the time that in some votes the Opposition had the real majority, and that the Clerk-register, by order of the king, had made false entries of the divisions.[2] There is nothing of this in the Supplication; but then it begins with this curious reference to another rumour, that the king took notes of the speeches and votes: "That the notes which your majesty put upon the names of a number of your supplicants in voting about these Acts, which did imply a secret power to innovate the order and government long continued in the Reformed Church of Scotland; and your majesty's refusing to receive from some of your supplicants their reasons for dissenting from the said Acts before your majesty and in your hearing in Parliament, [did tend] to breed a fear of our becoming obnoxious into your majesty's dislike, if your highness should still remain unacquainted with the reasons of our opinions delivered concerning the said Acts."[3] The document here cited is called "The humble Supplication of a great Number of the Nobility and other Commissioners in the late Parliament." It was not presented to the king, or at all events it was not read by him; but it had a separate and eventful history of its own, as we shall presently

[1] State Trials, iii. 606. [2] Row, 367. [3] State Trials, iii. 604.

see. Meanwhile we may close the account of this Parliament with the emphatic character given to it by Sir James Balfour: "In short, of thirty-one Acts and statutes concluded in this Parliament, not three of them but were most hurtful to the liberty of the subject, and as it were as many partitions to separate the king from his people. This Parliament was led on by the Episcopal and Court faction, which thereafter proved to be that stone that afterwards crushed them in pieces, and the fuel of that flame which set all Britain afire not long thereafter." [1]

Measured by the events that are to follow, this Parliament seems a matter of small moment or interest—a scene of petty jealousies and misunderstandings likely to be blown away and forgotten. But in reality it is the mark of a critical epoch. For the first time in our History there opens a quarrel between the Crown and the Estates of Parliament, and each returns from the discussion in surly menace, importing a farther and more determined trial of strength. That there never had as yet been a trial of strength between the two powers, had an obvious reason—on the side of the Crown such a contest was utterly hopeless. Whether that was a good form or a bad form of government where the Estates of Parliament were supreme, and the sovereign only their head and the proclaimer of their determinations, is a question in political philosophy. But so it was that the States had the chief ruling power, and now the Crown was preparing to invade it.

Apart from the discussions in the Estates, the clergy of the High Presbyterian party brought up a

[1] Annals, ii. 200.

protestation of their own grievances. It was presented to the king, who handed it to some one in attendance, and it seems to have been heard of no more. As it denounced all the innovations in the Church since the days of its purity under the Melvilles, its tenor may be inferred from the preceding narrative. The remonstrants, among minor matters, desired that they might "be freed from foul aspersions of nicknaming," because they had been nicknamed as "Puritans"—a term then recently imported from England. Their general conclusion was: "We have no General Assemblies; our provincial assemblies and presbyteries are so confused that no good is done; corrupt doctrines publicly vented in pulpits and schools without any restraint or censure; atheism, Popery, and profanity grows exceedingly; ignorant and debauched ministers are tolerated; the godly learned and painful are grieved and persecuted; commissioners—voters in Parliament—lie untried and uncensured."[1] The meaning of this last grievance is, that members of Parliament were not made responsible to the ecclesiastical courts for their votes and general conduct as legislators.

These affairs occurred during a long-looked-for visit by the king to the country of his birth. He entered Scotland on the 12th of June 1633. He had with him a brilliant train, which, counting servile attendants as well as the nobles and officers of State, amounted to above one hundred and fifty persons. Of these, far more significant than all the rest of the troop were two bishops — one of whom was Laud. The pageantries for the occasion appear to have been much more gorgeous than any previously offered in

[1] Row, 358; State Trials, iii. 607.

Scotland even to royalty, for the country had thriven in half a century of peace. It was said, however, that in emulation of the splendour of their English visitors, the Scots gentry spent more than they could well afford, and thus added a feeling of impoverishment to the causes of discontent which crowded on the inauspicious event. The ceremony of the king's coronation passed with great state and solemnity in the Abbey Church of Holyrood House. He who had the principal part in the marshalling of all the ceremonies of the occasion, the Lord Lyon, tells us: "Because this was the most glorious and magnifique coronation that ever was seen in this kingdom, and the first King of Great Britain that ever was crowned in Scotland, to behold these triumphs and ceremonies many strangers of great quality resorted hither from divers countries." [1]

Through all the magnificence of the scene there

[1] Balfour's Works, ii. 199. Sir James left two documents descriptive of the ceremonies which it was his official duty to organise and superintend: "The order of King Charles entring Edinbrugh in stait at the West Port, and his march throughe the toune to Holyrudhouse, 15th Junii, anno 1633;" and "The memorable and soleme Coronatione of King Charles, crowned King of Scotland at Holyrudhouse the 18th Junii 1633" (Works, iv. 354 *et seq.*) Both papers are formal official records of the ceremonies, with especial attention to the marshallings and precedencies. They are thus as dry as a Court gazette, but they must be very valuable to the special students of Court ceremonies. It will be seen that the man who gives himself dutifully to the courtly pomps and ceremonies which are the business of his office, is the same who has left his sharp censure of the conduct of the Court. With this solemn official record it may be of interest to compare the account of the whole given by a humble but acute outside observer, John Spalding, the town-clerk of Aberdeen. He describes how in his progress through the town the king was assailed by seven successive speeches, "which haill orations his majesty with great pleasure and delight, sitting on horseback as his company did, heard pleasantly" (Memorials of the Troubles, i. 32 *et seq.*)

were visible to acute observers some things, small in themselves, but full of evil portent, like the skeleton at the feast. We find them noticed with a regretful eye by Spalding, who was no Presbyterian, but a Cavalier from the north. His sympathies were with Prelacy; but they were conservative sympathies, desiring that what was well should be let alone. "Now," he says, "it is marked that there was ane four-neuket taffil [four-cornered table] manner of ane altar standing within the kirk, having thereupon twa books, at least resembling clasped books, called blind books, with twa wax chandeliers, and twa wax candles whilk was unlighted, and ane basin wherein there was nothing. At the back of this altar, covered with tapestry, there was ane rich tapestry wherein the crucifix was curiously wrought; and as these bishops who were in service passed by this crucifix they were seen to bow their knee and beck, which, with their habit, was noticed, and bred great fear of inbringing of Popery, for whilk they were all deposed, as is set down in these papers. The Archbishop of Glasgow and remanent of the bishops there present who was not in service changed not their habit, but wore their black gowns without rochets or white sleeves."[1] The Archbishop of St Andrews and four bishops did "the service" "with white rochets and white sleeves, and copes of gold having blue silk to their foot."

Another narrator puts on the picture this additional touch, that when the Archbishop of Glasgow, who had no rochet, stood at the king's left hand to partake in the ceremony, "Bishop Laud took Glasgow and

[1] Memorials of the Troubles, i. 36.

thrust him from the king with these words, 'Are you a Churchman, and wants the coat of your order?'"[1]

Accompanying the town-clerk of Aberdeen, we find him, with the greedy curiosity naturally attracted by any new and alarming phenomenon, telling how the king went to the Church of St Giles, "and heard John Bishop of Moray teach in his rochet, which is ane white linen or lawn drawn on above his coat, above the whilk his black gown is put on, and his arms through the gown-sleeves, and above his gown-sleeves is also white linen or lawn drawn on, shapen like ane sleeve. This is the weed of archbishops and bishops, and wears no surplice; but Churchmen of inferior degree in time of service wear the same, which is above their claiths—ane syde [long] linen cloth over body and arms like to ane sack.

"The people of Edinburgh, seeing the bishop teach in his rochet, whilke was never seen in St Giles's Kirk since the Reformation, and by him who sôme time was ane of their own town's Puritan ministers, they were grieved, and grudged thereat, thinking the same smelt of Popery."[2]

These things gave a substantial meaning only too distinct to the vague Act authorising the king to readjust the robes of the clergy. It was the first great act of war in the contest about "the whites," as the correspondence on the English side terms the rochet of the bishop and the surplice of the priest or presbyter. It might be called a small matter; but if so, why press it with such virulent determination on those who would none of it? The recusants, how-

[1] Rushworth, ii. 182.

[2] Memorials of the Troubles, i. 39.

ever, satisfied themselves that it was not a small matter. The character of the innovation startled the eye. A change from black to white—it was almost equivalent to a shifting from gravity to frivolity, and courted inquiry. This was rewarded by the discovery that the innovation was associated with abjured abominations. True, it was not as a mere colourless raiment one of the idolatries into which the Church of Rome had lapsed; but it was something worse. The Presbyterian clergy, pursuing inquiries to help them in the controversial maintenance of their standards, found, as is the wont of Churchmen, that the arrangements impulsively adopted by them in the confusion of the Reformation were precisely those which the standards of truth, when deliberately examined, required of them. They found that the Church of Rome had not only lapsed into its own peculiar idolatry, but that it had preserved within its practice many of the rites of the heathen priests of old. Among these "the whites" were found to be the robes of the priests of Isis, and were thus among the abominations from which the children of Israel had sought refuge in the desert. So it came to pass that as this was the point on which the Scots Presbyterians were most resolute in resistance, so was it that on which King Charles and his advisers were most resolute on conformity.

He and his evil genius returned to London towards the end of July, leaving behind them a goodly store of combustible materials all ready for the torch which was to be thrust in among them. Their first work was to put to good use the blank power which the Estates had conferred on the king as to the apparel of Churchmen; and a warrant was sent down which, among

other things, directed "that the lords archbishops and bishops shall, in all churches where they come in time of divine service or sermon, be in whites—that is, in a rochet and sleeves—as they were at the time of our coronation; and especially whensoever they administer the holy communion or preach. And they shall likewise provide themselves a chymer—that is, a satin or taffeta gown without lining or sleeves—to be worn over their whites at the time of their consecration. And we will that all archbishops and bishops aforesaid that are of our Privy Council or of our Session shall come and sit there in their whites, and maintain the gravity of their places. And for all inferior clergymen we will that they preach in their black gowns; but when they read divine service, christen, bury, or administer the sacrament of the Lord's Supper, they shall wear their surplices."[1]

It was determined at Court to strike a blow that would frighten the opposition gradually gathering in Scotland. There had been, as we have seen, a Supplication. This inferred grumbling or complaint; and perhaps some actionable matter might be found in it. The Supplication had been prepared by William Haig of Bemerside. It was handed to Lord Balmerinoch, who, after revising it, passed it over to Lord Rothes for presentation to the king. The king had given directions to those about him not to present to him any insolent or unbecoming applications, and Rothes was troubled about the view that might be taken of the Supplication. He tried to sound the king before determining, and got from him the not assuring answer, "My lord, ye know what is fit for

[1] Act. Parl., v. 21.

you to represent, and I know what is fit to me to hear and consider; and therefore do or do not upon your peril."[1] He tried the policy of treating the Supplication as worthy of suppression, and yet giving the king an opportunity of seeing it if he desired so to do. The dialogue between them is thus given: "'Sir, there is a petition given me presently to be looked upon and considered, which I have in my pocket, which I have, according to your majesty's command, suppressed; if your majesty be pleased to look upon it?' to which his majesty answered, 'It is no matter—I have no leisure—I am going to the park.'" The paper was then returned to Balmerinoch, with the opinion that it would be dangerous to present it.

If a prosecution were raised, it would be for "leasing-making," or uttering a document tending to render the sovereign and his Government odious—the offence more generally known as political libel. For such a prosecution it was necessary to establish that the document had been shown to some one, and it was not difficult to find one who had seen it as revised by Balmerinoch and interlined in his hand. Haig, the draughtsman of the paper, when he saw the coming storm, escaped to Compvere, and it fell on Balmerinoch alone.

The Supplication was a short paper, with the heading, "To the king's most excellent majesty, the humble Supplication of a great number of the nobility and other commissioners in the late Parliament." Its phraseology is throughout as respectful and deferential as the language of the day could render it.

[1] State Trials, iii. 629.

The two strongest passages are those already quoted —the one as to the coupling measures together so as to compel a vote either for the acceptance or the rejection of both, the other as to the king's attendance and taking notes. The latter, which is the really serious point, is approached with so much timidity that the passage about it, as cited above, will be found to be hesitating and obscure. It involved what in England would have been termed a breach of privilege, and was a forecast of those tamperings with the English House of Commons which had so disastrous an end. The Scots Estates had ever held a haughty independence of the Crown, even so far that they counted the royal assent to a measure by touching it with the sceptre as a mere act of courtesy not necessary to give the force of law to the Acts of the Estates. There is something grotesque, after reading the mild and decorous Supplication, to find it characterised in the indictment thus: "Whilk scandalous, odious, and seditious libel did not only seditiously, reproachfully, and outrageously tax our sacred person in our behaviour at Parliament, but also contains many points and purposes of false calumnies, public scandals, and reproaches against us, our estate and government, depraving our laws and Acts of Parliament, and misconstruing our just and glorious proceedings in our first Parliament."

The following passage, in a tone new to Scottish ears, is instructive as an announcement of Charles I.'s views of sovereignty: "Albeit by the law of God and laws of all nations the person of the supreme and sovereign prince is and ought to be sacred and inviolable, and he ought to be reverenced, honoured,

and feared as God's lieutenant on earth; and that all subjects are bound and tied in conscience to content themselves in humble submission to obey and reverence the person, laws, and authority of their supreme sovereign;—yet the said unhappy and infamous libel, in the first entry thereof, begins with an outrageous upbraiding and taxing of our sovereign lord's majesty of a point of injustice or indiscretion in our behaviour at Parliament, for putting of notes (as the said infamous libel alleges) upon the names of a number of our subjects who did vote contrar to the Acts of our Church government passed in Parliament, whilk is ane fearful thing in ane subject, to pry into the gesture of his sovereign in his supreme court, and upon a gesture without speech to infer a ground of exprobration and reproach to the sovereign prince."[1]

The trial was protracted by long pleadings founded on the doctrines of the civilians, and the report of it is like an interminable academic disputation. Besides the Justinian laws themselves, a host of commentators are brought up. We have not only the illustrious names of Bartolus and Baldus, who gave more law to Europe than any monarch that ever reigned, but a string of such less noted names, as Cravetta, Muretus, Galesius, De Castro, Labio, and Menochius. Nothing might at first thought seem fairer than to found such a prosecution on the cold logic of the old civilians—nothing could more effectually refute any imputation that the law was made for the occasion; and yet no professional ingenuity could have contrived a new law better fitted for the object in view. The old Roman law *de libellis famosis* had been inverted by

[1] State Trials, iii. 597, 598.

a power outside the law. The only way in which the Roman could publish his libel was by passing the manuscript from hand to hand. The apparatus for publicity was now the press; and it was then beginning to teem with those thousands of controversial pamphlets, every one of which was a libel in the eyes of those who were chastised by it. The handing about of a written paper gave the inference of privacy rather than publicity; and in fact the Supplication had only been shown with extreme caution. It was pleaded that the document was intended for the royal eye alone; but to this there was a ready answer—its promoters themselves had, on mature consideration, decided that it was a document of too outrageous a character for presentation to the sovereign. All the conditions attending this prosecution show a consciousness in its promoters that they were treading on very dangerous ground. Each step in it was taken with hesitation, after dubious councils. Hence it stretched from the summer of 1634 into the spring of 1635, the accused lying all the while in prison. The jury, according to the practice of Scotland, numbered fifteen, deciding by a majority. They stood eight to seven, being a majority of one for a conviction. After further hesitation and consultation, the end was that a royal remission or pardon was granted to Balmerinoch. But this act of mercy brought the king and his advisers no favour or credit. The feeling was that they dared not execute the sentence, and that the threats, humiliations, and personal captivity to which they had subjected one of a fierce and proud aristocracy were so much substantial oppression and injustice, which would have gone much farther had

it not been arrested by imbecility rather than justice or generosity.

A zealous Presbyterian annalist assures us that during the trial "the common people avowedly, with loud and high-lifted-up voices, were praying for Lord Balmerinoch, and for all those that loved him and his cause, and prayed for a plague to come upon them that had the blame of his trouble."[1] Bishop Burnet hints at a more formidable feeling, telling that when the trial came to an end "many meetings were held; and it was resolved either to force the prison to set him at liberty, or if that failed, to avenge his death both on the Court and on the eight jurors—some undertaking to kill them, and others to burn their houses. When the Earl of Traquair understood this, he went to the Court, and told the king that the Lord Balmerinoch's life was in his hands, but the execution was in no sort advisable; so he procured his pardon."[2]

Some other incidents were overshadowed by the importance of this prosecution. A new Episcopalian diocese was created: it included that part of the diocese of St Andrews stretching from the Forth to

[1] Row's History, 384.

[2] These threatening symptoms are repeated by Laing in language of greater strength and expressiveness; and other writers, following his authority, have heightened the colours. I have taken Burnet's own words, as he is the only authority I can find for the suspicion or fear of an outbreak. He was not born till eight years afterwards, but he mentions good opportunities possessed by him for becoming acquainted with the story he tells. "My father," he says, "knew the whole steps of this matter, having been the Earl of Lauderdale's most particular friend. He often told me that the ruin of the king's affairs in Scotland was in a great measure owing to that prosecution; and he carefully preserved the petition itself and the papers relating to the trial, of which I never saw any copy besides that which I have. And that raised in me a desire of seeing the whole record, which was copied for me, and is now in my hands."—Summary of Affairs before the Restoration.

the Border; and the see was in Edinburgh, the Church of St Giles being the cathedral. William Forbes, the first Bishop of Edinburgh, was consecrated in 1634.[1] In 1635 Lord Kinnoul, the Chancellor, died. Since the Reformation laymen had ever been appointed to the office; but now it was thought significant of the prevailing policy, that John Spottiswood, Archbishop of St Andrews, became also Lord High Chancellor. The king thus gave the Churchmen, in a substantial shape, the precedence, which, according to an anecdote current at the time, the old Chancellor, Kinnoul, had resisted.[2]

It was of more moment to Scotland, however, than the appointment of a clerical chancellor or the erection of a new diocese, that presently after the king's return to England, William Laud was made Archbishop of Canterbury. Heretofore he had meddled in the

[1] The charter of erection will be found at length in Keith's Catalogue of Scottish Bishops, p. 28.

[2] The story was, that the king had required by warrant that the Primate should have precedence over the Lord Chancellor, and he especially desired that effect should be given to this order at his coronation. As the settling of the precedence was in the Lord Lyon's department, the story will be best told in his own words: "I remember that King Charles sent me to the Lord Chancellor the day of his coronation, in the morning, in anno 1633, to show him that it was his will and pleasure—but only for that day—that he would cede and give place to the archbishop; but he returned by me to his majesty a very bruisk answer, which was, that since his majesty had been pleased to continue him in that office of Chancellor, which his worthy father of happy memory had bestowed upon him, he was ready in all humility to lay it down at his majesty's feet; but since it was his royal will that he should enjoy it with the known privileges of the same, never a stoled priest in Scotland should set a foot before him as long as his blood was hot." The king took this with an easy good-humour not habitual to him in matters of the kind, which were of vital moment in his eyes: "When I had related this answer to the king, he said, 'Weel, Lyon, let's go to business. I will not meddle further with that old cankered gouty man, at whose hands there is nothing to be gained but sour words.'"—Balfour's Works, ii. 142.

affairs of Scotland: he now dictated the ecclesiastical policy of the country; and with him the ecclesiastical policy was supreme over the civil. He evidently entertained no project for asserting the ecclesiastical supremacy of the Archbishop of Canterbury over the hierarchy of Scotland. He was the king's minister, adviser, and organ as to ecclesiastical affairs, those of Scotland included; and he acted as a statesman rather than a prelate. His function was like that of a colonial secretary, who communicates the instructions of the home government to the governor of a colony. In a long dictatorial letter to the Archbishop of St Andrews, we have his plan for checking all local action about ecclesiastical matters in Scotland until he shall have been informed of what is suggested, so that he may send down instructions for the guidance of all concerned. The arrangement is thus explained:—

"You are immutably to hold this rule, and that by his majesty's strict and most special command—namely, that yourself, or the Lord Ross, or both of you together, do privately acquaint the Earl of Traquair with it before it be proposed in public, either at the council-table, or the Exchequer, or elsewhere; and the earl hath assured the king in my presence that he will strictly observe and hold the same correspondency and course with you; and further, that he will readily do all good offices for the Church that come within his power, according to all such commands as he shall receive, either immediately from the king, or otherwise by direction of his majesty from myself. And if at any time your lordships and my Lord Traquair shall upon any of the forementioned business so

differ in judgment that you cannot accord it among yourselves, let it rest, and write up either to his majesty or to myself to move his majesty for further directions, which, once received, you are all to obey." But under this high dictatorial tone there is a consciousness of danger to those who thus plotted to supersede the responsible government of Scotland; and there comes this further instruction: "His majesty precisely commands that this mutual relation between the Earl of Traquair and you be kept very secret, and made known to no other person, either clergy or laity."[1]

Another specimen of Laud's dictatorial dealing with the Scottish prelates has an interest in itself, as rudely handling a point that was becoming very tender among the English Puritans and their sympathising brethren among the Presbyterians of Scotland. This point was the ascetic observance of Sunday or of the Lord's Day. A thing had occurred which had "displeased the king, and not without very just cause:" "The new Bishop of Aberdeen hath given way to and allowed a public fast throughout his diocese to be kept upon the Lord's Day, contrary to the rules of Christianity and all the ancient canons of the Church. I was in good hope that Church had quite laid down that ill custom; but since the new Bishop of Aberdeen hath continued it, and perhaps others may follow his example if this pass without a check, therefore his majesty's express will and command to your grace is, that you and my Lord Glasgow take order with all the bishops in your several provinces respectively, that no man presume to command or suffer any fast to be upon that day, or indeed any public fast upon any other day, without

[1] Rushworth, ii. 314, 315.

the special leave and command of the king, to whose power it belongs, and not to them." [1]

If it be asked how men holding a high position in Scotland were so treacherous to the old national spirit as to submit to this dictation from their official brother in England, the answer is, that the Scottish bishops were entirely in his power so long as he was right-hand man to the king. They had no public spirit or strong party to support them at home. If they resisted Laud, they must desert the prelatical party and go over to the enemy. A portion of his power, on which we must not lay uncharitable stress, was the ecclesiastical patronage. All who sought promotion in the higher grades of the Church must seek it through him; and we find him lecturing expectants, accordingly, much as a millowner or a merchant would let applicants for an advance know that their fortunes depend on their giving satisfaction to their employer. We would say that in these things Laud showed a vulgar mind, did we not know that it was a mind so engrossed in its own visions and projects that it was impervious to good taste as it was to discretion." [2]

[1] Rushworth, ii. 315.

[2] Thus to Bellenden of Dunblane: "His majesty hath heard that there have been lately some differences in Edinburgh about the sufferings of Christ, &c., and that your lordship was some cause of them, or at least such an occasion as might have bred much disturbance, if the late Bishop of Edinburgh his care and temper had not moderated it; and this his majesty is not well pleased with neither: and this hath been the cause, as I conceive, why his majesty hath passed you over in this remove; and you shall do very well to apply yourself better both to his majesty's service and the well ordering of the Church, lest you give just occasion to the king to pass you by when any other remove falls. I am very sorry that I must write thus unto you, but the only way of help lies in yourself and your own carriage; and therefore, if you will

We find the two archbishops and some of their brethren offering the following obeisance to their great patron, with, as it will be seen, a gentle hint not to drive them too furiously onward: "As we have found your grace's favour, both to our Church in general and ourselves in divers particulars, for which we are your grace's debtors, so we are to entreat the continuance thereof in this and our common affairs. We all wish a full conformity in the churches, but your grace knoweth that this must be the work of time. We have made, blessed be God, a farther progress than all have here expected in many years by his majesty's favour and your grace's help; and hope still to go farther if it shall please God to continue your grace in health and life, for which we pray continually."[1]

As the spirit of this restless priest has henceforward a distinct influence over the turbulent history of which we are now on the threshold, a word on his objects and tendencies may not be out of place. The feeling among the Scots Presbyterians and the English who leaned to Puritanism was, that he was working for the old Church against the Reformation. This may be held so far to be correct, that he endeavoured to draw the Church towards Romanism, but not towards Po-

not be careful of that, I do not see what any friend can be able to do for you." Afterwards there are words of comfort for him: "I am very glad to hear your resolutions for the ordering of his majesty's chapel-royal, and that you are resolved to wear your whites, notwithstanding the maliciousness of foolish men. I know his majesty will take your obedience and care very well." To Maxwell of Ross he says: "Whereas you write that some which have promised and protested fair to me concerning the Church, have in all judicatories since your last return gone against the Church, I pray you name them, for I am loath to mistake persons; and then I shall not spare to acquaint the king with what they do."—Hailes's Memorials and Letters, Charles I., 6-16.

[1] Prynne's Hidden Works of Darkness brought to Public Light, 146.

pery. He seized his opportunity, as we shall find, to tinge the rites and ceremonies of the Church of England with those doctrines—such as the real presence and the efficacy of the intervention of saints—to which the Protestant spirit was antagonistic. He loved all the splendid pageantry and decoration in which the old Church luxuriated, and he left substantial memorials of his magnificence in ecclesiastical architecture and decoration. But he certainly had no desire to subject the Church of England to the Bishop of Rome. If a Pope reigned over spiritual England, it was to be from Lambeth, not the Vatican. One of the strange and unwelcome portents recorded in his Diary is that unpleasing dream that he was reconciled to the Church of Rome. The restoration of the Papal power was among the obvious dangers attending on his innovations. And when the dreams of indigestion visited his pillow, they brought the dreaded calamity home to him, as the Alpine wanderer dreams at night that he is slipping into one of the abysses which he has contemplated with admiring awe in the sunshine.[1]

[1] "March 8 (1627), Thursday, I came to London. The night following I dreamed that I was reconciled to the Church of Rome. This troubled me much, and I wondered exceedingly how it should happen. Nor was I aggrieved with myself only by reason of the errors of that Church, but also upon account of the scandal which from that my fall would be cast upon many ancient and learned men in the Church of England. So being troubled at my dream, I said with myself that I would go immediately, and, confessing my fault, would beg pardon of the Church of England. Going with this resolution, a certain priest met me, and would have stopped me. But, moved with indignation, I went on my way. And while I wearied myself with these troublesome thoughts, I awoke." Close to this in his Diary he records another dream of the same physiological character, but differing widely in form: "I dreamed that I was troubled with the scurvy, and that on a sudden all my teeth became loose; that one of them—especially in the lower jaw—I could scarce hold in with my finger, till I called out for help," &c.

CHAPTER LXVIII.

Charles I.

PREPARATIONS FOR AGGRESSION—THE BOOK OF CANONS ECCLESIASTICAL—PASSED WITHOUT ECCLESIASTICAL AUTHORITY—REFERENCE TO AUTHORISED VERSION OF SCRIPTURE—LOST BOOK OF ORDINATION—THE FORM OF WORSHIP IN SCOTLAND—DELIBERATIONS ON AMENDING THE BOOK OF COMMON ORDER—NEW LITURGY PREPARED—EXAMINATION OF ITS TENOR—COMPARED WITH BOOK OF COMMON ORDER AND LAUD'S LITURGY—SHAPE AND EXTENT IN WHICH THE BOOK OF COMMON ORDER CONTINUED IN USE—RISE OF A PARTY INIMICAL TO FORMS OF WORSHIP—PREPARATION OF "LAUD'S LITURGY"—QUESTION HOW FAR COUNTENANCED BY ANY ECCLESIASTICAL PARTY IN SCOTLAND—EXAMINATION OF THE EVIDENCE AS TO LAUD'S SHARE IN IT—LAUD AND PRYNNE—LAUD'S ULTIMATE DESIGNS—OFFENSIVE SHAPE IN WHICH THE BOOK PRESENTED—CHARGE OF HORNING.

We now approach the crisis in which this spirit of meddling and dictation raised a reactionary spirit so powerful as to crush it. Two crowning acts of dictation were perpetrated in succession; and although that which came first in order has been almost forgotten in the political storm which immediately attended the other, yet in substance it is hardly less important and significant. In 1636 a document was issued called "Canons and Constitutions Ecclesiastical, gathered and put in form for the government of the

Church of Scotland, ratified and approved by his majesty's royal warrant, and ordained to be observed by the clergy and all others whom it may concern."

In the correspondence of the day, some of the Scottish bishops appear as if busying themselves in the preparation of these canons. But there is a consistency of purpose, a lucid order, and a unity of composition throughout, seeming like the work of one hand, and that the hand of a master. That Laud had an opportunity for recasting the whole as he pleased is shown in this short warrant by the king: "Canterbury, I would have you and the Bishop of London peruse the canons which are sent from the bishops of Scotland, and to your best skill see that they be well fitted for Church government, and as near as conveniently may be to the canons of the Church of England. And to that end you, or either of you, may alter what you shall find fitting; and this shall be your warrant."[1]

[1] Prynne's Hidden Works, 152. Prynne found this warrant when searching for evidence against Laud. His theory for its existence is, that Laud had obtained it after the issuing of the canons as a justification of his interference, and notes in confirmation of this that there is no date to the warrant, and that it is in the handwriting of Laud's secretary, "Master Dell." Whoever desires to consult the original canons will find that they are most easily to be got in a very suggestive place—in the collected works of Archbishop Laud, printed in the "Library of Anglo Catholic Theology" (vol. v. 583). The original edition, printed at Aberdeen in 1636 by Edward Raban, is very rare, and so is a reprint in Edinburgh in 1720. I have found the Book of Canons referred to by recent writers in such a manner as to show that they cannot have read it.

While this document fell into obscurity, another, which was its companion, has entirely disappeared from literature. It was called the "Book of Ordination." Laud tells how it was discovered that under the arrangement of King James in 1620 there were two defects, one of them being that the order of deacons was made a lay office, "at which his majesty was much troubled, as he had great cause, and concerning which he hath commanded me to write that either you do admit of our book, or else

The canons, as a piece of literary composition, are adapted to their purpose with a close approach to perfection, and as a scheme of prelatical polity, might be well balanced against the Presbyterian model framed by Melville in the Second Book of Discipline. There is throughout a tone of reverend piety suited to the occasion, which yet never overloads the composition so as to render the practical precepts to which it is directed in any way obscure. Those who expected to find in the book the marks of the Popish Beast deeply imprinted were probably disappointed. It begins with a denunciation of all foreign and usurped authority in the Church, and levels excommunication against any who affirm "that the king's majesty hath not the same authority in causes ecclesiastical that the godly kings had among the Jews and Christian emperors in the primitive Church." A large proportion of the book is given to the conduct and carriage of the clergy, conveying admonitions towards decorum and a Christian life. There is no place in the organisation for assemblies, presbyteries, or any other form of Presbyterian action. The disputed points of religious observance are briefly dealt with, and even on such matters of deadly quarrel as the kneeling at the sacrament, with good taste and feeling, thus:—

"Superstition and profaneness are both of them extremities to be avoided; as therefore the adoration of the bread is condemned, so the unreverent communi-

that you amend your own in these two gross oversights" (Prynne's Hidden Works, 153). There is no doubt that, as amended, the book was printed. Row says, "In the year 1636 the bishops caused print a Book of Ordination" (p. 391). It is criticised in Spang's Historia Motuum, "Animadversiones in Librum Ordinationis Episcoporum, Presbyterum, et Diaconorum" (p. 229).

cating and not discerning of those holy mysteries must be eschewed. Therefore it is ordained that the holy sacrifice of the Lord's Supper be received with the bowing of the knee, to testify the devotion and thankfulness of the receivers for that most excellent gift."

However far precepts like the following were at variance with the practice of the clergy of the day, it may be questioned whether they would be in themselves universally unacceptable to their congregations :—

"Albeit the whole time of our life be but short to be bestowed in the service of God, yet seeing He tempereth that work to our weakness, it is ordained that preachers in their sermons and prayers eschew tediousness, and by a succinct doing leave in the people an appetite for farther instruction, and a new desire to devotion."

One clause, not in itself perhaps likely to arrest the attention of a casual reader, has so remarkable a reference to peculiarities in the history of Scottish devotion, that it must not pass unnoticed. It provides that each church shall have a Bible and prayer-book at the charge of the parish: "The Bible shall be of the translation of King James; and if any parish be unprovided thereof, the same shall be amended within two months at most after the publication of this constitution."

Perhaps in Scotland more thoroughly than in any other part of the British empire, the "authorised version" has been exclusively reverenced as the only true version—as the Bible itself. Yet this version has never been authorised or adopted in preference to others by any ecclesiastical authority in Scotland. Anything

standing on the records of the Church of Scotland which can be called an adoption of one version in preference to others, is older than the English authorised translation. In 1574 the General Assembly gave its countenance to the edition of the Geneva version printed in Edinburgh by Bassendyne. The members resolved themselves into an association for promoting the sale of the book, and required that every beneficed clergyman should buy a copy of it for his church.[1] It was to be called "the common book of the kirk, as a most meet ornament for such a place, and a perpetual register of the Word of God, the fountain of all true doctrine, to be made patent to all the people of every congregation, as the only right rule to direct and govern them in matters of religion, as also to confirm them in the truth received, and to reform and redress corruptions wheresoever they shall spring up."[2] In 1601 the Assembly find it rumoured "that there were sundry errors that merited to be corrected in the vulgar translation of the Bible," and direct that "every one of the brethren who has best knowledge of the language employ their travails" in the correction of these errors, and report the result to the Assembly.[3]

Thus we may hold that whatever countenance from authority had been given to the Geneva version was revoked; but it was transferred to no other, so that no translation of the Bible has ever been an "authorised version" to Scotland.

In the words of one who knew more about the devotional literature of Scotland than any other man of any period, "no law either of the Church or State has ever prescribed the use of any particular transla-

[1] Book of the Universal Kirk, 327, 328. [2] Ibid., 443. [3] Ibid., 970.

tion of the Scriptures in Scotland."[1] Hence we are driven to the conclusion, that the only place where the version of the Scriptures so absolutely adopted by general assent had the sanction of an authority professing to be ecclesiastical, was in the abjured canons attributed to Laud. The consideration is here inevitably suggested, that had these canons not been buried in oblivion—had they been matter of public contest and criticism, like the Service-book—the natural result would have been, that the "authorised version" of the Bible would have been abjured and denounced throughout Scotland, as having been adopted and certified by the Erastian Privy Council of King James, and thrust upon the country by his tyrannical son and the Popish Primate of England.

The version which had prevailed in Scotland for some years held its ground. Scotland took her Bible, as well as her form of worship, from the favoured fountain of Geneva. It rather strengthened than relaxed the preference for the book, that Laud endeavoured to suppress it in England, where it was popular among the Puritans; and though censured, as we have seen, from authority, it continued to be used both by the populace and the learned.[2] It was not until it

[1] Memorial for the Bible Societies in Scotland (p. 13), by the late Principal Lee. He could not, of course, as a Presbyterian, acknowledge any authority in King Charles's Canons.

[2] Principal Lee, with curious industry, traced out the following instances in which it had been cited by Scottish authors appealing to Scriptural authority: "William Cowper, Bishop of Galloway—whose 'Dikaiologie' was printed at London in 1614, and his 'Triumph of a Christian' in 1615, and whose collected works were printed there in 1629—continued to the last to use the Geneva version in his quotations, and in the texts of his sermons. In the sermon entitled 'Spiritual Marriage'—preached at Westminster 1626 by James Baillie, A.M., and

came to be forgotten that the "authority" for the "authorised version" was both alien and Erastian—the command of the king and the English Council—that its superior merit, aided perhaps by its more easy purchase as a book widely circulated in England, gave it by degrees its present hold on Scotland.

But to return to the canons. Of infinitely greater moment than their substance was the authority whence they come forth. In this it may safely be said that they stand alone among the State papers of Christian Europe. Whoever may have given personal help in their preparation, they were adopted by

printed at London 1627, dedicated to nine peers and seven other courtiers, all of the Scottish nation—the author quotes Scripture from the Geneva version in every page, as in Rom. xi. 25, 'Partly *obstinacy* is come to Israel;' Rom. xi. 22, 'If thou continue in His *bountifulness*;' Heb. xii. 33, 'The *congregation* of the first-born.' In the same manner Mr William Struthers, minister of Edinburgh, who is always characterised by Calderwood as a servile follower of the Court, quotes the Scriptures from the same translation in his 'Christian Observations,' and in his 'Resolution for Death,' both printed at Edinburgh in 1628. Thus, Phil. i. 21, 'Christ is to me, both in death and in life, advantage;' 1 John iii. 14, '*Translated* from death to life.' We find the Geneva translation also used in Boyd's 'Last Battle of the Soul,' printed at Edinburgh in 1629. It is generally followed in the 'Exposition of the Lord's Prayer,' by Mr William Wischart, parson of Restalrig, printed at London 1633;' and when this writer adopts another version, it seems generally to be one of his own. John Abernethy, Bishop of Caithness, in his treatise entitled 'Physicke for the Soule,' printed at London 1630, a quarto volume, abounding in quotations from Scripture, appears always to have used the Geneva version, as Jer. vi. 14, 'They have healed also the hurt of the daughter of my people *with sweet words*;' Phil. ii. 12, '*Make an end of* your own salvation with fear and trembling;' Eccles. vii. 5, '*Anger* is better than laughter.' And so late as the year 1639, the celebrated Alexander Henderson, in preaching before the General Assembly at Edinburgh, reads a long text from the Geneva Bible, as appears from the proceedings of that Assembly, still extant in manuscript. It has been already mentioned that the Psalms in prose printed by Bryson in 1640 are according to that version."—Lee's Memorial for the Bible Societies in Scotland, 89-92.

the king, and were as much his sole personal act as if he had penned them all alone in his cabinet, and sent them as a despatch to those who were to obey their injunctions. On no record of ecclesiastical council or other deliberative body is any trace of their formation or adoption to be found. They were not even encumbered with those formalities of passing seals or going on the records of official departments, which are sometimes a wholesome interruption to the rash projects of despots, by inducing faithful servants humbly to remonstrate, or, as in the instance of the Parliament of Paris, exciting resistance. What in practical business the issuing of the canons most nearly resembles is the issuing of a general order by the commander-in-chief of an army. There had been, no doubt, abrupt and peremptory documents directed to clergymen in the "injunctions" of Henry VIII. and his daughter. But these were acts rather of clerical police, as giving directions for obedience to the law, than of actual legislation. A complete code of laws for the government of a Church, issued by a sovereign without official consultation with the responsible representatives of that Church, is unexampled in European history. In all constitutional monarchies the phraseology used about the supremacy of the sovereign would be utterly misunderstood by any one who should read it without seeking its interpretation in practice. A British Act of Parliament is the doing of the sovereign, "with the advice and consent" of the two Houses; but we all know the actual process by which a statute is made. The monarch of England was supreme in Parliament and in the Church; but the boundary of this supremacy was the

veto rendering the consent of the Crown necessary to any act performed by either.[1] In Scotland the supremacy of the Crown in the Church was on the records of Parliament; and we have seen how far King James professed to extend it theoretically during his visit of 1617. Yet immediately afterwards, to give sufficiency to his favourite "Five Articles of Perth," the Government obtained for them the sanction first of a General Assembly, and next of the Estates.

Even the obsequious Heylyn, the spirit of his priestly order dominating alike over his adulation of royalty and his hatred of Puritanism, muttered certain doubts and difficulties about these canons. The Scots, he said, complained of them as Erastian and prelatical, and as "subjecting the whole nation to the discipline of a foreign Church." But according to his own opinion, "juster cause they seemed to have for disclaiming the said Book of Canons, because not made nor imposed upon them by their own approbation and consent, contrary to the usage of the Church in all times and nations." Then explaining how canons and constitutions ecclesiastical "were to be advised and framed by bishops and other learned

[1] The chief code of ecclesiastical law in England is recognised by the title of "The Constitution and Canons Ecclesiastical, agreed upon, with the King's licence, by the Convocation of the Province of Canterbury in 1603, and published for the due Observation of them by his Majesty's Authority under the Great Seal of England." It was one of the charges against Laud, that he got certain canons voted by convocation without due deliberation and discussion, "many of which canons, by the said archbishop, were surreptitiously passed in the late convocation without due consideration and debate. Others, by fears and compulsion, were subscribed unto by the prelates and clerks there assembled, which had never been voted and passed in the convocation as they ought to have been."—State Trials, iv. 418.

men assembled in a general council, and testified by the subscription of such bishops as were then assembled," he continues: "And though it could not be denied but that all Christian emperors, kings, and princes reserved a power unto themselves of ratifying and confirming all such constitutions as by the bishops and clergy were agreed on, yet still the said canons and constitutions were first agreed on by the bishops and clergy before they were tendered to the sovereign prince for his ratification."

For this departure, however, by those whom he devoutly followed, from the proper orthodox faith, he seems to find some consolation in contemplating it as a punishment or retaliation on the Scots Presbyterians for their assertions of independence: "The Scottish Presbyters had formerly disclaimed the king's authority either in calling their Assemblies or confirming the results thereof, which they conceived to be good and valid of themselves without any additional power of his to add strength unto them. And therefore now they must needs think themselves reduced to a very great vassalage in having a body of canons so imposed upon them; to the making whereof they were never called, and to the passing whereof they had never voted. But as they had broke the rules of the primitive Church by acting sovereignty to themselves without requiring the king's approbation and consent in the times foregoing, so were they now upon the point of having those old rules broken upon them by the king, in making canons and putting laws and orders on them for their future government, to which they never had consented." [1]

[1] Life of Laud, 303.

The course suggested by Heylyn—that of the ecclesiastical authorities framing canons for the royal sanction—was exactly the course which the Scottish prelates themselves anticipated. In the Aberdeen Assembly of 1616, where their influence predominated, it was resolved, "That there be ane uniform order of Church discipline throughout all the kirks of this kingdom; and to that effect it is statute and ordained that a book of canons be made, published, drawn furth of the books of former Assemblies; and where the same is defective, that it be supplied by the canons of councils and ecclesiastical conventions in former times." The Archbishop of Glasgow, with the assistance of William Struthers, minister in Edinburgh, was to make a draft of the canons, to be revised by commissioners, "to whom power is given to try, examine, and after their allowance and approbation thereof, to supplicate to his majesty that the same may be ratified and approved by his royal authority."[1] Whatever humiliation the prelates may have felt on seeing their authority usurped by one man, and he an English prelate, they had to endure it all in silence; for they were in the position of those who have no friends. The powerful aristocracy were their bitter enemies, and a democratic party equally hostile to them was waxing in size and strength.

It would be an error to suppose that all who took part with the Cavaliers against the Covenanters supported or approved what the king and Laud were doing. James Gordon, a member of a cavalier family, who might come within his own definition as a sober man, who rather favoured the bishops, thus expresses

[1] Book of the Universal Kirk, 1128.

himself about the canons: "This Book of Canons, which had the same common parents as the Service-book, felt the like fate; and sober men thought that by such a damnatory sentence it got but justice. The informality of its introduction was notorious; and for the strain thereof, many who understood both deemed that it resembled a Boniface, a Gregory, or a Clement sitting in the Vatican of Rome, compiling their decretals or Clementines or Extravagants. For many sober ministers, who otherwise favoured the bishops, were startled with these canons, and thought them grossly extravagant, as betraying a too great neglect of all the Church in the introduction of them, and a too great usurpation of power to themselves in the canons there set down. . . . The Book of Canons being overthrown, the next book which was brought to the test was the Book of Ordination, another whelp of that same litter with the two former."[1] One of these "former" is the Service-book, of which presently. The "Book of Ordination" has dropped out of literature and history, no copy of it being now known to exist.[2]

We have now seen how the elements of personal and national exasperation were thickly sown throughout Scotland. They were the tampering with the powers and privileges of Parliament, the encroachments of the prerogative, the Prelacy and religious ceremonials which shocked the Presbyterians, the coercive conformity to the institutions of England which outraged the national feeling, and, most substantial and effective of all, the extraction from the grasp of the

[1] History of Scots Affairs, by James Gordon, Parson of Rothiemay, ii. 92.

[2] See above, p. 392, note.

aristocracy of a portion of the old ecclesiastical revenues, and the suspicion that the remainder would follow; for, whether well founded or not, such a suspicion still existed, and was keenly felt.[1] It is by the events connected with the step we have now reached —the attempt to enforce the Service-book—that the whole quarrel is best known, just as some great battle is more familiar to the public memory than the war of which it was the crisis.

This crisis arose, as all people moderately acquainted with British history are aware, from an attempt to enforce, through the royal prerogative, a prayer-book on the Scottish people, or rather on the congregations of the churches in Scotland. This resistance deserves, and must receive, a minute narration. In the mean time it may be of use to offer some explanations in reference to a current opinion, that the wrath of the people against the prayer-book in question was caused by a settled antipathy or conscientious abhorrence of a liturgy, or any established form of prayer. The arrangements for Presbyterian worship in Scotland,

[1] The town-clerk of Aberdeen, a provincial legal practitioner, conversant in tacks and teinds, and, like all his class, inquisitive and knowing about the incomes of the landed gentry and the sources from which they came, expressed this cause of distrust very distinctly in his own technical way: "This point touching the bishops they could not forget, fearing they were counselling the king to draw in the Kirk lands to the Crown, and to make up abbots and priors again, to the strengthening of the king and overthrow of the nobility, who had the most part of their living of Kirk lands. 2d, They had great fear who were lords of erections at his majesty's general revocation in his first Parliament—ordinar for kings to do from time to time—albeit they received no prejudice thereby. 3d, For granting in the same Parliament ane commission of surrenders of superiorities and teinds, grounded for helping of the ministry and relief of the laity, living yearly under the bondage of the lords of erection and laik patrons. Of this Act of Parliament they were under great fear, albeit his majesty's intention was singularly good and much to be praised."—Spalding's Memorials of the Troubles, i. 77.

now more than two hundred years old, have made this a natural supposition; but it is a mistake. A prayer-book was at that time used in Scotland; and the quarrel arose, not on the question of commanding the people to worship according to an adjusted form, but on the question of compelling them to abandon their own form and adopt another prepared for them in a suspected quarter. The book of forms of worship, which speedily after the Reformation had been issued on the model of the Huguenot prayer-book of Geneva, was still in use, and came to be named the Book of Common Order and the Psalm-book, though it is now better known by its popular title as Knox's Liturgy.[1] In the fragments we have of the business transacted by General Assemblies there are traces of attempts to alter it, which were not effectual; so that down to this period it had not been touched by any Church judicatory. In the Assembly of 1601, where the Geneva translation of the Bible was censured as containing errors, it was suggested, "As also that there was sundry prayers in the Psalm-book whilk wald be altered, in respect they are not convenient for the mean time." The resolution on this was: "It is not thought good that the prayers already contained in the Psalm-book be altered; but if any brother would have any other prayers eked whilk are mete for the time, ordains the same first to be tried and allowed by the Assembly."[2] This followed up the spirit of the original book, in which there were "prayers used in the time of persecution by the Frenchmen," and afterwards "a thanksgiving for our deliverance, and prayers for the continuance of peace."

[1] See chap. xlix.

[2] Book of the Universal Kirk, 970.

Had any additions been made in conformity with this hint, they would no doubt have been levelled against the prelatical projects of King James. The latest that we hear of the Book of Common Order, before it was superseded by the Directory of Worship, was in a proposal, in 1641, to revise it, along with the Confession of Faith, and at the same time prepare a catechism. This task was referred to Alexander Henderson, who, after looking at it, said he found it a work far surpassing his strength. "Nor could I," he continues, "take upon me either to determine some points controverted, or to set down other forms of prayer than we have in our Psalm-book, penned by our great and divine Reformer."[1]

The Assembly which sat in Aberdeen—the stronghold of the prelatical party—in 1616, ordained "that ane uniform order of Liturgy or divine service be set down to be read in all kirks on the ordinary days of prayer, and every Sabbath-day before the sermon, to the end the common people might be acquainted therewith, and by custom may learn to serve God rightly." That this did not point to the establishment of a liturgy, but to the improvement of one in use, is shown by what follows in the appointment of a committee "to revise the Book of Common Prayers contained in the Psalm-book, and to set down ane common form of ordinary service to be used in all time hereafter, whilk shall be used on all time of common prayers [in all the kirks where there is exercise of common prayers], as likewise by the minister before the sermon where there is no reader."[2]

The term "Liturgy" had not previously been in use

[1] Baillie's Letters, ii. 2. [2] Book of the Universal Kirk, 1128.

to express a form of prayer in Scotland. It must be remembered, however, that although the Assembly of 1616 probably did not nourish any innovation approaching that of the Service-book of 1637, their Acts as an Assembly were afterwards repudiated, and they were treated as prelatical usurpers, who had interrupted the government of the Church according to the legitimate Presbyterian order. There are traces in the celebrated Assembly of Perth in 1618 that this committee was actually at work.[1] According to Fuller, the book was completed and transmitted to King James, who revised it; and "it was remitted, with the king's observations, additions, expunctions, mutations, accommodations, to Scotland again."[2] Here any traces of the project that can be called contemporary drop. We only know that the affair was not zealously pressed, and may believe that King James was withheld by a sense of timidity or caution.

There is in the British Museum a manuscript prayer-book, which I believe to be the Liturgy thus framed, and finally transcribed for the press. It is so written out in a fine Italian hand, as to show the printer the proper place for each line. There is a note on it in the writing of the time, that it was the Service-book intended for Scotland before Laud took the affair into his own hands.[3]

The date of this final transcript can be closely ap-

[1] Book of the Universal Kirk, 1157. A true Narrative of all the Passages of the Proceedings in the General Assembly of the Church of Scotland, holden at Perth, &c., by Dr Lindsay, Bishop of Brechin, 69.

[2] Book xi. §§ 94-97.

[3] The title is: "The Booke of Common Prayer and Administration of the Sacraments, with other Rites and Ceremonies of the Church of Scotland." "As it was sett downe at first, before the change thereof made

proached by internal evidence. A prayer for the royal family, naming Charles as king, desires that the queen may become "a happy mother of successful children." The king was married in 1625, and his eldest son was born in 1630.

This book has no litany, and it is rather an enlargement of the old Book of Common Order, than an adaptation of the English Book of Common Prayer. One of its chief novelties is the appointment of Lessons for the day, in a calendar appointing the portion of Scripture to be read on each. It is so adjusted that the Old Testament shall be read once in each year, except a few chapters, which, being "less for edification, are left to the private reading of families." The New Testament, with the exception of the Apocalypse, was to be read thrice every year.

In this enlargement of the Book of Common Order, it seems to have been the object of the compilers to give effect to the precepts regarding worship or service to be found in the expressed standards of the Scottish Church. Thus the service for the burial of the dead is nearly a repetition of the words in the First Book of Discipline: "Burial hath in all ages been held in regard, to declare that the body which hath been committed to the earth doth not utterly perish, but shall rise again in the last day. Therefore must the corpse be reverently brought to the grave," &c.

In the communion there was a departure from the Huguenot form of sitting at a board, and an approach to the English form, which in itself was a compromise

by the Archb. of Canterburie, and sent back to Scotland." The title is carefully penned to resemble what it will be in print. The explanatory note is in the ordinary writing of the day.

between the board, and the altar consecrated apart in the East: "The Order for Administration of the Lord's Supper or Holy Communion.—The table whereat the communion is to be received being covered with a white linen cloth, shall stand in that part of the church which the minister findeth most convenient; and als soon as the minister enters into the pulpit, such as attend upon the ministration shall present the elements covered, and set them upon the table. For besides that by the Word and prayer they are sanctified to the holy use whereunto God hath appointed them, the doctrine of Christ's death will affect and move the people the more easily when they see those holy signs which represent Christ crucified unto us."

Effect was given to the Huguenot doctrine, that baptism and marriage were to be celebrated as part of the day's service, in token of admission into the congregation. The marriage was "before God, and in the presence of this His congregation." On baptism there is a precept, that "it is most convenient that baptism should not be ministered but upon Sundays, and other days when most numbers of people may come together, as well for that the congregation then present may testify to the receiving of them that be newly baptised into the number of Christ's Church, and also because that in the baptism of infants every man present may be put in remembrance of his own profession made to God in his baptism. Nevertheless, if necessity so require, the minister is not to refuse baptism at any time or in any place."

Although this prayer-book never came in use, and passed not only into obscurity, but absolute oblivion, if it be, as the author believes, the form of worship

deliberately adopted by the leaders of the Church of Scotland, and submitted to the sovereign for his acceptance, it is not unworthy of the attention it has here received. It is of moment, if for nothing else, in its points of difference from that Service-book which wrought the first act in the civil war. It shows how far even the prelatic party in Scotland would have gone, and thus lets us see how much farther Laud determined that they should be dragged. We shall see how closely he was practically concerned in furthering the eventful Service-book. There is a general impression that this book was the work of the Scottish prelates, who only received from the Archbishop of Canterbury the support to which their sound principles naturally entitled them. But when we get among the documents and discussions of the time, we see little or nothing of the Scots bishops. If they did anything, it seems to have been in slight modification of Laud's workmanship; and this naturally responds to the fact, that they who knew their country better than the English primate, were themselves the authors of another and a safer liturgy.[1]

[1] Some notices of this manuscript, by one who had seen it, will be found in three articles bearing the title, "Original Draft of the Service-book for the Church of Scotland," in the British Magazine, volumes xxviii., xxix., and xxx., for the years 1845 and 1846. Let us hope that a book of so much interest and importance will not long remain unprinted. Meanwhile it may be well to say a word or two for the purpose of recording the identity of the one copy known to exist, since by the regulations of the British Museum it is not permitted to have a place in any catalogue. As it is not in the department for manuscripts, it is not in the catalogue of that department. It happens to be among the printed books, but itself not being printed, it has no place in the catalogue of printed books. The one clue to the place where it might be found was the fact mentioned by the writer already referred to, that when he saw it it was bound up with a folio printed liturgy. The one holding out most

To set the eventful "Service-book" in its right place in our story, we have still to deal with another book of prayers, which served also as a practical measure of the distance to which Laud desired to carry the country in his own direction. We have already seen the history of the Book of Common Order.[1] As "Knox's Liturgy" it is pretty well known in the present day to those who are curious in the history of the sixteenth century, both through reprints and historical notices; but that the devotional parts of it were printed and used by the people down to the sitting of the Assembly of Divines at Westminster, and the adoption of the "Directory of Worship," has not come so prominently forward. Complete copies of the Liturgy, whether under the name of the Book of Geneva, or the Book of Common Order, are rare, though several editions of it were printed at Geneva, London, Middelburg, Edinburgh, and Aberdeen. The book was a volume of considerable size for the period, and costly.

hope was a copy of "the Service-book" entered as "with MS. notes," and in this volume it is. The press-mark is $\frac{c.\ 36.\ 9.}{1.}$

Before leaving this topic there is no harm in giving a farther hint to persons pursuing inquiries into the devotional literature of Scotland in the British Museum. The book so often referred to in these volumes, known popularly as "Knox's Liturgy," is entered under the head of "Common Prayer." This title is signally unappropriate, since the book was called "The Book of Common Order," to distinguish it from "The Book of Common Prayer," which it superseded. Still the book can be found by any one who knows how to unlock the mysteries of the many-volumed department of the Museum catalogue dedicated solely to the head "Liturgies." Here, however, he will search in vain for the original French Liturgy whence that of Scotland is translated. To find this he must take the index to the department "Bible," and turning to letter P, run his eye down the sub-head "Psalms:" when he reaches one or two copies of the French translation by Marot and Beza, he will generally find that "La Forme des Prières Ecclésiastiques" is bound up in the same volume.

[1] Chap. xlix.

We can suppose that each clergyman and the richer members of the congregation possessed a copy, but that it was beyond the means of the poorer sort. For the use of the congregation at large, however, there was a diminutive volume not above three inches long, containing the devotional part of the book, and known by the name of the Psalm-book.[1] These small prayer-books, though probably in their day much more numerous than the larger, are now far more rare. They have suffered the natural fate attending on the books of devotion used by the people—books which are put in the cheapest available form, and are therefore not deemed worthy of sedulous preservation. A note of the contents of this tiny volume may be instructive. We find in them "The Confession of Faith;" "A Confession of our Sins;" "The Order of Baptism;" "The Administration of the Lord's Supper;" "The Form of Marriage;" "A Prayer commonly used before the Sermon;" "Morning Prayer;" "Evening Prayer;" "The Psalms in Sternhold and Hopkin's Version;" a few hymns, among which are the Lord's Prayer, the Apostles' Creed, and the Ten Commandments, versified and set to music; "The La-

[1] The title of one edition of the smaller book is, "The Psalms of David in Prose and Verse, with an exact Kalander. The Order of Baptisme and Marriage, Morning and Evening Prayer, and other Godly Prayers. Edinburgh, printed by Robert Bryson, and are to be sold at his shop at the sign of Jonah." The latest known copy of this book under this title is dated in 1644. It was immediately afterwards superseded by the Directory; but down to that time Bryson seems to have issued an edition every year. In 1635 an edition was printed at Aberdeen by Raban, with "the common tunes in four parts, in more perfect form than ever heretofore, together with the tunes to the whole Psalms, diligently revised and amended by the most expert musicians in Aberdeen." For a list of the various known editions, both of the larger and smaller volume, see Sprott and Leishman's Reprint, 237.

mentation of a Sinner;" "Veni Creator;" "The Song of Simeon, called Nunc Dimittis;" and "The Song of the blessed Virgin Mary, called Magnificat." There is a calendar, "with a rule to find Easter for ever;" and it occasionally contains the commemoration-days of a few saints whose names are not found in Scripture, as St Bernard, St Lawrence, St Bartholomew, and St Martin.

Thus for nearly a hundred years the Church of Scotland possessed and used a liturgy similar to that which had been adopted in Geneva and used by the Huguenot churches in France. It was, as we have seen when noticing its adoption, a far simpler liturgy than the English Book of Common Prayer.[1] It had also a looser hold on the clergy. All the authority it

[1] See above, chap. xlix. The following is a very clear, and to all appearance accurate, account of the Sunday service in any considerable congregation where there was both a minister and a reader: "The bell having been rung an hour before, was rung the second time at eight o'clock for the reader's service. The congregation then assembled, and engaged for a little in private devotion. The reader took his place at the 'lectern,' read the Common Prayers, and in some churches the Decalogue and Creed. He then gave out large portions of the Psalter, the singing of which was concluded with Gloria Patri, and next read chapters of Scripture from the Old and New Testaments, going through in order any book that was begun, as required by the First Book of Discipline. After an hour thus spent, the bell rang the third time, and the minister entered the pulpit, and 'knelt for private devotion.' He then began with a 'conceived' prayer, chiefly for 'illumination,' as in other Reformed Churches. He next preached the sermon, and then read or repeated one of the prayers in the Liturgy for all conditions of men, or extemporised one 'conform' to it, concluding with the Lord's Prayer and the Creed. After this there followed a psalm and the benediction. Between 1618 and 1638 the usage continued, with these differences—that in some parts of the country the minister's salutation was lengthened into a preface; there was an additional prayer and psalm before sermon at the morning service, and the Lord's Prayer was used at the end of the prayer before sermon; the recital of the Creed was omitted by many of the clergy."—Sprott's Introduction to Book of Common Order, xxxiii., xxxiv.

had was from an ecclesiastical organisation, which, as we have seen, was ever shifting. The Book of Common Order was never confirmed by the Estates, while the Book of Common Prayer was over and over again confirmed by elaborate Acts of Parliament, "for the uniformity of common prayer and service in the Church, and administration of the sacraments."[1]

There was no absolute uniformity in the editions either of the larger or the smaller Scottish Prayer-book; and those who published it were so far at freedom that sometimes it was decorated with literary attractions of a merely secular and popular kind.[2]

[1] It does not affect this distinction, that an Act of the Estates in 1579 enjoins that "all gentlemen householders and others with 300 merks of yearly rent or above, and all substantious yeomen or burgesses, likewise householders, esteemed worth 500 pounds in lands or goods, be halden to have a Bible and Psalm-book in vulgar language in their houses, for the better instruction of themselves and their families in the knowledge of God."—Act. Parl., iii. 139. Although the Book of Common Order was popularly called the Psalm-book, the demand of the Act would be fulfilled by a book containing the Psalms alone. Gillespie, when he denounced all liturgies, and especially Laud's, thus admitted too much when he said of the Book of Common Order, "Ought not that rather to be imposed than any other, seeing it is already established by Parliament now of a long time?"—Cited, Sprott, xxix.

[2] As, for instance, in the calendar, admonitions for social and sanatory conduct during each month, rendered in rhyme, thus :—

"March in man's body breeds humours great,
And divers dolours that dangerous be;
Then give good heed to that ye shall eat,
Yet bleed and bathe with modesty.

In June abstain from drinks new and sweet.
Be merry, and recreate yourself withall.
Use wholesome herbs, for so it is meet;
But take no medicine, whatsoever befall."

The Assembly found in 1568 that their favourite printer, Bassendyne, had printed at the end of one edition a song called "Welcome Fortune," the moral character of which they denounce by an adjective excluded from modern literature. It was ordered that he cancel the song; "and farther, that he abstain in all time coming from farther printing anything

But the Church jealously checked any variation affording a suspicion of intentional tampering with doctrine. We may find instances of the clergy, even in the act of restoring their Presbyterian organisation, thus counting the book their own charge for which they were responsible, although it was so soon to be superseded by the Directory of Worship.[1]

Although, however, the Church had adopted and still retained the Book of Common Order, it was not used in every congregation. In England a party had arisen who were antagonistic to all fixed forms of worship, and they had sympathisers in Scotland. They were among the mixed body called Sectaries, Puritans, and Brownists. Brown himself, who had begun his career in profligacy, came to Scotland in his regenerate days, but received no welcome reception from the zealous Presbyterians.[2] They attacked him

without licence of the supreme magistrate, and revising of such things as pertain to religion by some of the Kirk appointed for that purpose." —Book of the Universal Kirk, 100. A copy of the Book of Common Order containing the song of "Welcome Fortune" would be a prize which no collector has yet gained.

[1] So, in the renowned Assembly of 1638, the great question about kneeling at the communion having come up, it is noted that "as some things were cited out of the treatise before the Psalm-book printed at Aberdeen 1625, where prayer is made against 'hireling Papists that God would confound them.' In these that are printed at Aberdeen, 'Papists' are left out. In one other prayer these words 'the Romish idol' are left out in reading. Then Dr Guild in Aberdeen desired that the printer might make accompt of it, who had been the occasion of that."—Peterkin's Records, 168.

[2] Calderwood says: "Upon Thursday the 9th of January (1584) an Englishman called Robert Brown came to Edinburgh out of Flanders. He landed at Dundee, and having gotten support there, he came to St Andrews, where he purchased a letter of recommendation from Mr Andrew Melville to Mr James Lawson. There came in company with him four or five Englishmen with their wives and families—this Brown was their preacher." He gave offence by attacking the form of baptism

in their Church courts as a heretic; and at the time when they were fighting for existence, they were indignant that the civil power would not crush him and his "accomplices," as his disciples are called.[1] This little group, unpopular and soon forgotten, left seed in the hearts of the Presbyterians of Scotland, and half a century afterwards the Brownist separatists or novators were a considerable body. We shall find that they were strong enough to be a troublesome minority to the Presbyterian party in their hour of triumph; while in England they were a portion of the great allied body of dissenters, who, under the name of Independents, were acquiring irresistible strength. Thus the enemies of the Prayer-book were a far larger proportion of the English people than the enemies of the Book of Common Order were among the Scots. But there was between the two groups a material difference, which was destined to exercise a mighty influence on the future of both countries. In England, where the Prayer-book was sanctioned by the statute law, those who objected to it must go outside the Church; in Scotland this was not necessary. We thus meet with traces of congregations among whom the book was not in use. On the other hand, it arose out of the same easy dealing that some congregations preferred the English Prayer-book to the Book of Common Order, and used it unmolested.

How a liturgy existed, and was in general use, yet

in the Book of Common Order as authorising "witnesses" or godfathers: "Upon Tuesday the 14th he made show, after an arrogant manner, before the session of the Kirk of Edinburgh, that he would maintain that witnesses at baptism was not a thing indifferent but simply evil, but he failed."—Calderwood, iv. 1.

[1] Calderwood, iv. 3.

was not a matter of rigid form, is well expressed in the following description, attributed to one who helped to suppress it, and to put the Directory in its place. He is vindicating the Church of Scotland from certain aspersions to which it was subject in England, and of these the second in order is, "That they had no certain rule or direction for their public worship, but that every man, following his contemporary fancy, did preach and pray what seemed good in his own eyes." To this the vindicator says: "Against the second, the form of prayers, administration of the sacraments, admission of ministers, excommunication, solemnising of marriage, visitation of the sick, &c., which are set down before their Psalm-book, and to which the ministers are to conform themselves, is a sufficient witness; for although they be not tied to set forms and words, yet are they not left at random, but for testifying their consent and keeping unity, they have their Directory and prescribed order."[1]

What we see through all this is, that the contest which arose was not against all fixed forms of worship, but against a particular form and the manner of its introduction. One small incident provides a closely-fitting illustration of this conclusion. On the morning

[1] The Government and Order of the Church of Scotland, Edinburgh, 1641—Address to the Reader. This little book is attributed to Alexander Henderson. Mr Sprott, in the introduction to the Book of Common Order, says: "Though anonymous, and written as if by an Englishman, there can be no doubt that Henderson was the author" (p. xxx.) It is an extremely clear exposition; and as the best account of the government and worship of the Church of Scotland at this critical juncture, one is surprised that it has not been reprinted in later times, and remains a rarity little known. It has been observed that we may mark in it a coincidence with the Directory of Worship, leading to the conclusion that Henderson was the chief author of that Presbyterian Canon.

of that day memorable by the outbreak against the Service-book, the old Scots Book of Common Order had been read in peace, according to usage, in the same church where the riot broke forth.[1] Sinister rumours had for some time been breathed about, that this simple ritual which lay so lightly on the people was displeasing in high places, and was to be superseded. When the Book of Canons came forth, what was a rumour became a certainty; and it was fully believed that the novelty was to be forced upon the people of Scotland by external coercion, and was to assume a shape offensive alike to the religion professed by the Scots people and to their national pride.[2]

The actors in this project were not brought before the world until the time of disclamation and recrimination had come. There are two accounts of the preparation of the Service-book by those who could speak to it fully. One of these, the king's Larger Declaration, is throughout virtually a pleading of counsel. The other comes from Laud; but he had taken to

[1] "When the next Sabbath, July 23, came, the Bishop of Edinburgh, *after that the ordinary prayers had been read in the morning*, about ten o'clock brought in the Service-book to the pulpit."—Row, 408.

[2] One able man, in a state of political and ecclesiastical transition—a supporter of existing conditions in Church and State, but induced by the innovations to turn against them—says, writing to a friend while as yet nothing had occurred: "In the mean time some copies of the book goes from hand to hand. Some of the unconform party makes it their text daily, to show the multitude of the Popish points contained in the book—the grossness of it far beyond the English; the way of the imposing of it, not only without any meeting either of Church or State, but contrar to standing laws both of Church and State; in a word, how that it was nought but the mass in English, brought in by the craft and violence of some two or three of the bishops against the mind of all the rest, both of church and states men. These things did sound from pulpits, were carried from hand to hand in papers, were the table-talk and open discourse of high and low."—Baillie's Letters, i. 17.

whining and shuffling before he told his story at his trial. He pleaded his threescore years and ten, and the life of troubles he had led, as impairing his memory and his intellect, so as to disable him from explaining his conduct and vindicating its uprightness. True, his life had been one to try a constitution. Although a minister of the Gospel of peace, he had given himself to the fierce struggles and devouring anxieties that beset the leader in a mortal contest, where he must crush or be crushed. The fatal alternative had come, and the whole fabric of his ambition was tottering. His enemies, too, in their hour of triumph, harassed him sore and showed him little mercy. Yet the old man could turn and bite as opportunity came. From the nature of his career one cannot but believe that he was a fanatic who regarded not the laws of human forces and probabilities, but believed that powers more than human would intervene to carry out his projects. Yet he would have left a less doubtful reputation for sincerity had he showed in his adversity the counterpart of that haughty imperious zeal which burned in him in his hour of triumph. But he was humble and apologetic, and therefore is scarce to be trusted when he transfers the odium from himself to others. It was not for the national insult offered to Scotland in forcing on the country a liturgy from England that he had to defend himself, but against the symptoms found in the book of a tendency to Romanism. Hence he pleaded that he had himself desired the simple extension of the English Book of Common Prayer to Scotland—it was the Scots prelates who would have variations on it, and these variations were the causes of offence in England. "I was clear of opinion,"

he said, "that if his majesty would have a liturgy settled there, it were best to take the English Liturgy without any variation, that so the same Service-book might be established in all his majesty's dominions; which I did then and do still think would have been a great happiness to this State, and a great honour and safety to religion." And farther: "Afterwards the Scottish bishops still pressing his majesty that a liturgy framed by themselves, and in some few things differing from ours, would relish better with their countrymen, they at last prevailed with his majesty to have it so, and carried it against me, notwithstanding all I could say or do to the contrary. Then his majesty commanded me to give the bishops of Scotland my best assistance in this way and work. I delayed as much as I could with my obedience; and when nothing would serve but it must go on, I confess I was then very serious, and gave them the best help I could. But wheresoever I had any doubt, I did not only acquaint his majesty with it, but writ down most of the alterations in his majesty's presence."[1]

It is observable, indeed, that here, as in the matter of the canons, he took care that documents should exist throwing the responsibility of all upon his royal master. When Prynne performed the congenial task of searching Laud's chambers in the Tower, he found a document in these terms:—

"CHARLES R.—I gave the Archbishop of Canterbury command to make the alterations expressed in this book, and to fit a liturgy for the Church of Scotland; and wheresoever they shall differ from another book

[1] Prynne's Hidden Works, 155.

signed by us at Hampton Court, September 28, 1634, our pleasure is to have these followed rather than the former, unless the Archbishop of St Andrews and his brethren who are upon the place shall see apparent reason for the contrary.—At Whitehall, April 19th, 1636."

Prynne, who was taking vengeance for the loss of his ears, was suspicious, and not only suspected this document to have been written long after the date it bore, but to be "counterfeited, Charles R. being not the king's own hand, though somewhat like it." He found at the same time a copy of the book, "with all the additions and alterations wherein it varies from the English, written, made, and inserted by the archbishop's own hand, as it was afterwards printed and published in Scotland." [1]

[1] Hidden Works, 156. This account of the corrected Service-book exactly fits itself to the casual correspondence of the time, and especially to a letter by Laud to Wedderburn, the freshly-consecrated and eager Bishop of Dunblane, who had been trained in the principles of Laud's own school, and sent to Scotland to give effect to them. It will be seen that the English primate addresses the Scottish bishop in the tone of a public officer instructing his subordinate, and intimating to him that some suggestions he has sent have been accepted, others have been rejected: ".I received likewise from you at the same time certain notes to be considered of, that all of them, or at least so many as his majesty should approve, might be made use of in your liturgy which is now printing. And though my business hath of late lain very heavy upon me, yet I presently acquainted his majesty with what you had written. After this, I and Bishop Wren (my Lord Treasurer being now otherwise busied), by his majesty's appointment, sat down seriously and considered of them all; and then I tendered them again to the king without any animadversions upon them, and his majesty had the patience to weigh and consider them all again. This done, so many of them as his majesty approved I have written into a service-book of ours, and sent you the book with his majesty's hand to it to warrant all your alterations made therein. So in the printing of your liturgy you are to follow the book which my Lord Ross brought, and the additions made to the book I now send. But if you find the book of my Lord

But in his account of this copy of the book, Prynne lapses from his usual exactness; for he speaks afterwards of "this Service-book printed in Scotland, with these and sundry other alterations and additions, wherein it differed from the English." And indeed, as we shall have to see, the differences as they may be noted in the printed book are not the same in all

Ross's and this to differ in anything that is material, then you are to follow this later book I now send, as expressing some things more fully. And now that your lordship sees all of your animadversions which the king approved written into this book, I shall not need to write largely to you what the reasons were why all of yours were not admitted, for your judgment and modesty is such that you will easily conceive some reason was apprehended for it."—Ibid., 153. In Wharton's preface to the history of his 'Troubles and Trial,' prepared by Laud, there is notice of some incidents which curiously show how both Laud and his editor looked on the Service-book as his doing. Of the history of the 'Troubles and Trial' it is said: "The archbishop earnestly desired—which desire is thrice in this work expressed—that it might be carefully and exactly translated into Latin and printed, that he might thereby appeal to the judgment of the learned in all parts of Christendom. To this end himself had procured the Liturgy which he had composed for the Church of Scotland to be turned into Latin, that it might be published with it. 'To the end,' saith he, 'that the book may be extant, and come to the view of the Christian world, and their judgment of it be known, I have caused it to be exactly translated into Latin; and if right be done me, it shall be printed with this history.'" This, in itself a trifling item in literary history, is significant as a revelation of the man's nature—of the self-assurance of being right, maintained amidst the wreck of all his projects. While he was cringing, whining, and apologising to his accusers, he was to leave a testimony that would vindicate him to the world at large. And when all Scotland was furious because he, or if not he, yet some English stranger, was forcing on them a foreign service, he was preparing a testimony to let all Europe know that he was the author of that righteous deed.

The translation of the Service-book was to be one of the unsupplied items in the large scheme for the publication of ecclesiastical records which Wharton but partially fulfilled. He says: "This Latin translation of the Scotch Liturgy, as also the English original copy of the first draft of it, are now in my hands, and shall, one or both of them, be hereafter, God willing, published in the collection of memorials."—Preface to History of Troubles and Trial.

instances as those noted down by Prynne from the copy of the English Prayer-book in which they are inserted in Laud's own hand. In short, whoever may be responsible for this or that suggestion, the hand which perfected the offence was Laud's.

The history of Scotland will not be truly understood by any one who fails to see that to force any English institution upon the people would be accepted as a gross national insult. This stage of political infatuation had been reached by the Book of Canons, of which Clarendon said: "It was thought no other than a subjection to England, by receiving laws from thence, of which they were most jealous, and most passionately abhorred."[1]

The fatal ingenuity which distinguished the promoters of the Service-book carried them a step farther, and taught them how to aggravate the offence in its repetition. As the whole project revealed itself to the infuriated imaginations of the Scots, it took the following shape. Laud and his party were plotting the gradual restoration of Popery in England. Afraid to go straight on with this project, they determined to try a sample of it first on the Scots, in obedience to the old Latin precept to try experiments on the more worthless subject. The consequence was, that Scotland was to be coerced into the use of the English Prayer-book, decorated with some touches of Popery, that they might afterwards be transferred to England, if found endurable and serviceable.[2]

[1] History, i. 106.

[2] The case is thus put in the articles against Laud by the Scots commissioners: "By this their doing they did not aim to make us conform to England, but to make Scotland first (whose weakness in resisting they had before experienced in novations of government and of some

If Laud did not intend to go farther in the direction taken by the Service-book, all appearances much belied him. It is perceptible in his correspondence, and still more decisively in the variations noted by Prynne on Laud's own copy of the book. And even without the other evidence to be presently noticed as to the substance of these variations, we may hold that although Prynne was at that time the bitter enemy of his old persecutor, he would not have dared, in the face of the world, to invent these variations.[1]

How far there was justice in the charge, that the passages in which the Service-book varied from the Book of Common Prayer tended towards Popery, is

points of worship), and therefore England, conform to Rome, and even in those matters wherein England had separated from Rome ever since the time of Reformation." He little understood the temper of the Scots Presbyterian party when he vindicated himself in such terms as these: "I would be contented to lay down my life to-morrow, upon condition the Pope and Church of Rome would admit and confirm that Service-book which hath been so eagerly charged against me; for were that done, it would give a greater blow to Popery, which is but the corruption of the Church of Rome, than any hath yet been given; and that they know full well."—Troubles and Trial, 135-38. The mere idea that there was common ground on which the Kirk and Rome could meet and agree together was a horrible imagination. Immutable enmity was the only temper in which Antichrist could be received.

[1] That Laud considered the Scottish Service-book not as a completion, but merely a step in the right direction, is, for instance, shown by a passage in his letter to Bishop Wedderburn already cited: "And whereas you write that much more might have been done if the times would have borne it, I make no doubt but there might have been a fuller addition. But, God be thanked, this will do very well, and I hope breed up a great deal of devout and religious piety in that kingdom. Yet I pray, for my farther satisfaction, at your best leisure draw up all those particulars which you think might make the Liturgy perfect, whether the times will bear them or not; and send them safe to me, and I will not fail to give you my judgment of them, and perhaps put some of them to further use, at least in my own particular."—Prynne's Hidden Works, 154.

among the many questions which have been much and keenly debated, and might be debated for ever. The following is a specimen of these variations at a very critical point — the consecration of the elements :—

Book of Common Prayer.	The Service-book.
"When the priest, standing before the table, hath so ordered the bread and wine, that he may with the more readiness and decency break the bread before the people, and take the cup into his hands, he shall say the prayer of consecration, as followeth."	"Then the presbyter, standing up, shall say the prayer of consecration, as followeth. But then during the time of consecration he shall stand at such a part of the holy table where he may with the more ease and decency use both his hands."

The mysterious instruction to "use both his hands" suggested the inquiry—for what purpose, unless it were that he should use them in the elevation of the host, with his back to the people ?[1]

As interpreted from the other side, the significant meaning of these postures was, that the priest was not ministering to the people. Of them he took no

[1] The Scots commissioners put the charge thus :—

"It seems to be no great matter that, without warrant of the book of England, the presbyter, going from the north end of the table, shall stand during the time of consecration at such a part of the table where he may with the more ease and decency use both his hands; yet being tried, it importeth much," &c.

"That he may the more conveniently lift up the bread and wine over his head to be seen and adored of the people ; who, in the rubric of general confession a little before, are directed to kneel humbly on their knees, that the priest's elevation, so magnified in the mass, and the people's adoration may go together."

To this charge Laud answers: "Good God! whither tends this malice? There is not a word in the book of this neither. Not of lifting the bread and wine over his head, much less is there anything to have it adored by the people. And as there is nothing in the book, so nothing hath ever been said or done by me that tends this way."—Troubles and Trial, 116, 117.

count; he was elevating and adoring the host, and they were permitted to behold this act, and to adore apart.

But according to Prynne, as Laud had written the rubric with his own hand, it tended more distinctly and emphatically to bring out this conclusion.

His account is: "In the rubric, before the prayer of consecration, he makes this observable alteration and insertion of his own. The English rubric is only, *Then the priest, standing up, shall say as followeth;* the archbishop adds this with his own hand, Shall say *the prayer of consecration,* as followeth. *But then during the time of consecration the presbyter which consecrateth* SHALL STAND IN THE MIDST BEFORE THE ALTAR while he celebrates, with his back to the people, who by this mean can neither see nor hear very well what he doth; which is directly taken out of the Mass-book."[1] In this passage the words quoted are not absolutely separated from the angry comments of the quoter; but he certainly means to say that he found in Laud's handwriting the instruction to "stand in the midst before the altar."

A question arises, whether in this the accurate record-antiquary was for once inexact, or was guilty of fabrication. If that prayer-book, with the alterations in Laud's handwriting, found by him in the Tower, could now be seen, that question would be easily settled. I cannot find anything to give a hope that this precious volume may be found; but I have seen what professes to be an exact duplicate of it in the library of Lambeth Palace, and the internal evidence assists the external conditions in convincing me that

[1] Hidden Works, 160.

this transcript is accurate. It is made on a copy of the English Prayer-book. This is altered throughout in manuscript, as an author makes alterations on his proofs when he has changed his mind as to what he means to print. The pen is drawn through the passages to be omitted, and those to be substituted or added are written on the margin. The shape then in which Laud drafted the rubric, and that in which it was ultimately adjusted, will be seen thus:—

In the Service-book as published.	The Lambeth Book.
"Then the presbyter, standing up, shall say the prayer of consecration, as followeth. But then during the time of consecration he shall stand at such a part of the holy table where he may with the more ease and decency use both his hands."	"Then the presbyter, standing up, shall say the prayer of consecration, as followeth. But then during the time of consecration the presbyter which consecrates shall stand in the midst before the altar, that he may with the more ease use both his hands, which he cannot so conveniently do standing at the north end of it."

The priest's posture is made the more distinct by subsequent instructions in the manuscript alterations addressed to "the presbyter standing up, and turning himself to the people."[1]

[1] The Lambeth volume is a quarto prayer-book dated in 1634. The manuscript alterations are in a hand of the seventeenth century, probably the latter half of it. There is this memorandum by the writer: "The alterations of the common prayer in the following book were copied from the book of A. Bp. Laud, printed 1636, 4to, and now remaining in the library of the city of Norwich." Inquiries in Norwich, though made by a gentleman of much learning in liturgic literature, and with peculiar local facilities, were neither successful in discovering the volume nor any trace of its fate. The memorandum further says: "Almost all the alterations are in the archbishop's own hand. Some few are in the hand in which the warrant for altering is written, and are therefore distinguished by adding under them the letter S, supposing them to be the hand of the secretary. A few others, in a different hand, are distinguished by adding Sc., supposing them to be made in Scotland according to the tenor of the warrant." The king's warrant, above

From all this it would appear, that if among the bishops in Scotland there was a small group disposed, like Wedderburn, to go all the way with Laud, the preponderating policy was to restrain rather than to stimulate him. Nor in seeing this are we compelled to maintain that his conduct is inconsistent with an original design merely to transfer the English book to Scotland. Uniformity of ceremonial in the two countries was a natural first step, whether attended or not with a latent resolution afterwards to innovate in both. On afterthought, however, with the pen in his hand, he could not resist the impulse towards what artists call "touching up." Sentences here and there, capable by a word or two of approaching his criterion, made a temptation not to be resisted. Where the manuscript breaks in upon the print, the innovations protrude to the eye with peculiar force and distinctness. There are, for instance, the deep black scores drawn through the modifying announcement of a commemorative spirit in the imparting of the

referred to, is on the same page with the morning and evening prayers. Among the MS. notes the cause of an accident in the printing of the Service-book is explained. At the foot of the last page, before the Psalms, there is the catch-word "Certaine." This is to carry over to the contents of the next page, but there is no next page. In the book on which Laud made his alterations there were "certaine godly prayers for sundry purposes." Prefixed to these is the instruction in MS.: "His majesty commands that those prayers following, or any others (for they are different in several editions), be all left out, and not printed in your liturgy." There is a touch of the peremptory in this as well as in an instruction about the Church catechism: "This catechism must be retained in your liturgy, and no other admitted in your several parishes." There is one morsel of honesty in Laud's MS. not repeated in the printed Service-book. In the MS. the Psalms are "according to the translation in King James his time." In the printed book they are called "the Psalms of David, translated by King James." They were the work of Sir William Alexander, Earl of Stirling.

elements. Then the eye is at once arrested at the suggestive addition, to be presently mentioned, of the word "corporal." It was maintained by the hostile critics of the Service-book, that its offensive variations from the English Prayer-book betrayed their character by their origin—they could be traced to the Romish Breviary. But this, though it might serve for popular purposes, could not avail among adepts. The Breviary was the great storehouse whence all the Protestant communities took their devotional literature. The English Prayer-book and the Scottish Book of Common Order were already supplied from it. It was not sufficient, then, for the condemnation of the new passages, that they were common to the Service-book and to the Breviary—the words used must be dealt with on their own merits. When, however, it was asserted that the novelties were supplied from the Missal or Mass-book, the charge was more alarming.[1] Apart from portions of the Eucharistic service taken directly from Scripture, those more characteristic portions relating to the ceremonies and doctrines connected with the elements were not treated in the same manner in the two countries. In Scotland they were abjured as polluted by the idolatry of the deification of the elements, and they had no place in the Book of

[1] In this controversy the two books are often confounded, or used as two names for the same thing. With some zealous Protestants it appears to be deemed discreditable to be too accurately informed about the creeds and ceremonies which prevailed for some hundreds of years in Christian Europe. Knowing much about Popery is like showing too intimate an acquaintance with the interior of houses of evil repute. Among the charges against Laud one was that he possessed Popish books. To this, at all events, he had a conclusive answer—How could he do his duty as a Protestant minister in refuting the errors of Popery unless he knew what they were?

Common Order. In England such portions as were deemed wholesome were selected and embodied in the Book of Common Prayer.[1] But that such an attempt to separate the wheat from the chaff was a work of nicety and difficulty, came out expressively when additions had to be made to some passages in the Prayer-book, to secure Protestant orthodoxy at the sacrifice of logic and symmetry.

Hence it came that the most flagrant instance where the new Service-book departed from the text of the English Prayer-book, to resume that of the Popish Missal, was not in any addition or change of words, but in the mere omission of certain words to be found in the authorised English Prayer-book of the day. The question whether these words should be retained or dropped has caused theological battles familiar to

[1] Laud, in his defence, said: "It was urged at the bar that a prayer which I used was like one that is in the Pontifical. So in the Missal are many prayers like unto the collects used in our English Liturgy—so like that some are the very same, translated only into English; and yet these confirmed by law. And for that of Psalm xcv. 6, Venite procidamus, &c., then also excepted against, that hath been of very ancient use in the liturgies of the Church, from which rejecimus paleam, numquid et grana? We have separated the chaff—shall we cast away the corn too?"—State Trials, iv. 487.

The apology for the entire rejection of the ceremonies may be found in the Huguenot book, though this was not transferred with the more essential parts of the Geneva Service to the Scots Book of Common Order:—

"Nous savons bien quelle occasion de scandale plusieurs ont pris du changement que nous avons faite en cest endroit. Car pource que la messe a esté longtemps en telle estime, q'il sembloit advis au pour monde que ce fust le principal poinct de la Christienté c'a esté une chose bien estrange que nos l'ayon abolie.

"Et pour ceste cause, ceux qui ne sont pas deuement advertis, estiment que nous ayons destruit le Sacrement; mais quand on aura bien consideré ce que nous tenons, on trouvera que nous l'avons restitué en son entier" (that is, to the practices of the primitive Church).—Edit. 1576, p. 25.

the present generation. They have been fought in separate fields, each with its own peculiar conditions. In England the strife has turned on the point, whether the additional words should be removed by competent authority out of the Prayer-book as sanctioned by statute. In Scotland, where no liturgy has the authority of the law, a more equal contest has been fought on the question whether in the Episcopal Churches the communion should be celebrated according to the form of the English Prayer-book, which contains the words considered so significant, or according to those of the Service-book, which does not contain them.

To see how deep the whole went into the religious conditions of Scotland at the period to which we have come, let us look at the instruction for the communication of the elements in the Book of Common Order; it is rather more full than the instruction in the French Book of Geneva:—

"The exhortation ended, the minister cometh down from the pulpit and sitteth at the table, every man and woman in likewise taking their place as occasion best serveth; then he taketh bread and giveth thanks, either in these words following, or like in effect." Then a thanksgiving prayer is followed by—

"This done, the minister breaketh the bread, and delivereth it to the people, who distribute and divide the same amongst themselves, according to our Saviour Christ's commandment, and likewise giveth the cup. During the which time some place of the Scripture is read which doth lively set forth the death of Christ, to the extent that our eyes and senses may not only be occupied in these outward signs of bread and wine,

which are called the visible word, but that our hearts and minds also may be duly fixed in the contemplation of our Lord's death, which is by this holy sacrament represented."

In the well-known English communion-service, after the instruction to deliver the elements to the people, "humbly kneeling," the form to be employed is—

"The body of our Lord Jesus Christ, which was given for thee, preserve thy body and soul unto everlasting life.

"Take and eat this in remembrance that Christ died for thee, and feed on Him in thy heart by faith with thanksgiving.

"The blood of our Lord Jesus Christ, which was shed for thee, preserve thy body and soul unto everlasting life.

"Drink this in remembrance that Christ's blood was shed for thee, and be thankful."[1]

Each injunction is here divided into two paragraphs, for the purpose of rendering the alteration intended

[1] Although, as we have seen, no form was prescribed by the Book of Common Order, yet the Scottish clergy appear to have by general assent adopted a form not widely differing from that of the English Prayer-book. We are told by an eminent contemporary Scots divine, that "those that are nearest the minister, having received the bread, do divide it from hand to hand amongst themselves. When the minister delivereth the bread, according to the commandment and example of Christ, he commandeth the people to take and eat, saying, 'Take ye, eat ye: this is the body of the Lord which is broken for you; do it in remembrance of Him.' After all at the table have taken and eaten, the minister taketh the cup, and drinking first himself, he giveth it to the nearest, saying, 'This cup is the new testament, in the blood of the Lord Jesus, which is shed for many for the remission of sins; drink ye all of it: for as often as ye do eat this bread and drink this cup, ye do show the Lord's death till He come.'"—Henderson's Government and Order of the Church of Scotland, 123.

for Scotland the more distinct. It consisted in each instance of the omission of the second paragraph—that which defines the reception of the element as an act of commemoration. There was a precedent for the shorter form in the English Prayer-book authorised under Edward VI. in 1549. But this did not palliate the offence; on the contrary, what followed in England only gave emphasis to it. There was an outcry that the words adopted were an admission of the doctrine of transubstantiation, and in the Prayer-book of Queen Elizabeth's reign the commemorative words were added to relieve the communion-service of this scandal. With this incident in the literature of Protestant devotion before them, the promoters of the Service-book had themselves to blame if they were suspected of a design to restore the doctrine of transubstantiation.

The significance of the omitted words was held to be confirmed by the insertion of a word, which if it did not enjoin the doctrine of transubstantiation, yet casually showed what was passing in the minds of those who adjusted the Service-book: "When all have communicated, he that celebrates shall go to the Lord's table, and cover with a fair linen cloth [or corporal] that which remaineth of the consecrated elements." The offence here was in the insertion of the word "corporal." This was the name given to the cloth in which a corpse was wrapped for burial; and in the traditions of the Church the laying of it on the elements was held to be typical of the act of Joseph of Arimathea: "And when Joseph had taken the body, he wrapped it in a clean linen cloth."[1]

[1] Laud's own vindication of the omission was twofold—there was no

In harmony with all this was the use of the term "holy table," instead of the simple word "table" in the English book—an alteration taking a different direction in Laud's manuscript, where it is the "altar," a term always offensive to the Scots Presbyterians.

The calendar of the Service-book is rich in the commemoration-days of the saints of the middle ages. It has been mentioned already that a few of these saints' days remained in some editions of the Book of Common Order. When their commemoration there was censured, it was answered that the calendar did not belong to the devotional part of the book; it merely contained secular information. The names of saints did not appear on it to be venerated, but merely to enable people to keep terms which had come into use in the tenure of houses and the payment of interest and other obligations. The fresh group got

harm in it, and it was not his doing. His own wish was uniformity with the English Prayer-book. "But," he says, "some of the Scottish bishops prevailed herein against me; as I have to show under the then Bishop of Dunblane's hand, Dr Wetherborn [Wedderburn], whose notes I have yet by me concerning the alteration in that Service-book." The Scottish bishop's remark is: "There is no more in King Edward VI. his first book; and if there be no more in ours, the action will be much the shorter. Besides, the words which are added since—'Take, eat in remembrance,' &c.—may seem to relish somewhat of the Zuinglian tenet, that the sacrament is a bare sign taken in remembrance of Christ's passion." The peculiar word "action" would identify this passage as written by a Scottish clergyman. Laud's conclusion on it is: "So that, for my part, first, I see no hurt in the omission of those latter words—none at all; and next, if there be any, it proceeded not from me." —Troubles and Trial, 123. According to Prynne, Laud, if he did not suggest, yet certified and sanctioned the omission. He says: "In the words prescribed to be used in the very delivery of the bread and wine after consecration, there is a most notorious alteration made by way of an *index expurgatorius* with this prelate's own hand."—Hidden Works, 161.

admission under this curious instruction under the king's sign-manual: "That in the calendar you keep such Catholic saints as are in the English; that you pester it not with too many, but such as you insert of the peculiar saints of that our kingdom that they be of the most approved; and here to have regard to those of the blood-royal, and such holy bishops of every see most renowned, but in no case to omit St George and Patrick."[1]

No canon of Scripture—that is to say, no authorised rule separating from other matter the books to be counted canonical—was yet established in Scotland, as we shall see when we come to the adoption of such a canon by the Westminster Assembly. In England, the canon, as fixed by the sixth of the Thirty-nine Articles, finds, as to the books of the Apocrypha, that, following the precept of St Jerome, they are matter which "the Church doth read for example of life and instruction of manners; yet doth it not apply them to establish any doctrine." When the canon was fixed for Scotland, it decreed that "the books commonly called Apocrypha, not being of divine inspiration, are not part of the canon of the Scripture, and therefore are of no authority in the Church of God, nor to be any otherwise approved or made use of than other human writings." This no doubt echoed the belief and practice that had grown among the Protestants in Scotland. It expanded, indeed, into a special hatred of the Apocryphal books, as those nearest to, and therefore most apt to rival, the Scriptures. It became an offence to refer to these books; and the clergy-

[1] Rushworth, ii. 343.

man who might with safety quote Addison or even Pope, would not dare to cite a passage from the Apocrypha. Here, then, was another available instrument of irritation; and it was not forgotten, since in the king's direction just cited there is this: "That you insert among the lessons ordinarily to be read in the service—out of the Book of Wisdom, the 1, 2, 3, 4, 5, and 6 chapters; and out of the Book of Ecclesiasticus, the 1, 2, 5, 8, 35, and 49 chapters."[1]

One could follow still farther the grounds of offence which the Scots were enabled to find in the purely religious matter of the Service-book, but the result might prove tiresome.[2] Our story would be incom-

[1] Rushworth, ii. 343. There is some mystery as to this injunction. The passages indicated in it are the only lessons taken from the Apocrypha, and consequently the Service-book took less than the English Prayer-book from that quarter. Was it that there was an intention to pass over the Apocrypha, and that the king thought it necessary to interpose for its protection?

[2] They are thus succinctly summed up by a scholar of the period: "Rejiciendus est hic liber. 1. Quia obtruditur sine ullo prævio ecclesiæ hujus consensu et approbatione in synodo nationali, penes quam proprie hujus generis negotia definiunter. 2. Quia legitimam et longo usu receptam cultus divini externam formam prorsus abolet, ac in ejus locum substituit aliam a pontificiis mutatam, ac ex Missali, Rituali, Breviario Romano desumptam, quæ plurima superflua et ridicula ac superstitiosa continet, semina etiam gravissimorum errorum ac idolotriæ, ac in multis anglica liturgia deterior est."—Rerum Nuper in Regno Scotiæ Gestarum Historia, 204. This book is anonymous, but is known to be by William Spang, minister of the Scots Church at Rotterdam. He tells the objections to the Service-book in detail, as they were found by the General Assembly of 1638. A statement of them to the same effect will be found in the vernacular in Gordon's History of Scots Affairs, ii. 59 *et seq.* The fullest anatomy of the book, with the object of detecting traces of Popery, is in Prynne's examination, the long title of which begins with, "Hidden Works of Darknes brought to Publike Light; or, A necessary Introduction to the History of the Archbishop of Canterburie's Trial," 1645.

An account of the variations of the Service-book from the several

plete, however, without some account of a very offensive secular document printed at the beginning of the book, to flare in the face, as it were, of those for whom it was destined. This was a proclamation to enforce the use of the new book under the pressure of that "charge of horning," or denunciation by blast of trumpet, with which we have repeatedly had occasion to deal. It is perhaps the most curious of all the many occasions in which the Crown has in Scotland had recourse to those forms of law by which subjects attack and oppress each other. The writ in the usual form leaves a blank for the names of the persons who are to proclaim it as—"messengers, our sheriffs in that part." The instruction to them is in these words: "Our will is, and we charge you straitly and command that incontinent these our letters seen you pass, and in

versions of the English Prayer-book will be found in the following books: Bulley's 'Tabular View of the Variations in the Communion and Baptismal Offices of the Church of England, from the Year 1549 to 1662—to which is added those in the Scotch Prayer-book of 1637;' in Hall's 'Reliquiæ Liturgicæ—Documents connected with the Liturgy of the Church of England,' in six volumes; and Hamon Lestrange's 'Alliance of Divine Offices, exhibiting all the Liturgies of the Church of England since the Reformation, as also the Scotch Service-book.'

For works taking up the controversy in a more discursive manner, as vindicating the simplicity of the Scottish system against the English on Scriptural authority, the opinions of the fathers, and other received materials of ecclesiastical controversy, the following works may be mentioned: Gillespie's 'Dispute against the English-Popish Ceremonies obtruded on the Church of Scotland;' Samuel Rutherford's 'Divine Right of Church Government and Excommunication, or a peaceable Dispute for the Perfection of the Holy Scripture in point of Ceremonies and Church Government, in which the Removal of the Service-book is justified, the six Books of Thomas Erastus against Excommunication are briefly examined,' &c.; and Calderwood's 'Altare Damascenum ceu Politia Ecclesiæ Anglicanæ obtrusa Ecclesiæ Scoticanæ, a formalista quodam delineata illustrata et examinata, studio et opera Edwardi Didoclavii, cui, locis suis interserta confutatio Paraeneseos Tileni ad Scotos Gene-

our name and authority command and charge all our subjects, both ecclesiastical and civil, by open proclamation at the market-crosses of the head burrows of this our kingdom, and other places needful, to conform themselves to the said public form of worship, which is the only form which we (having taken the counsel of our clergy) think fit to be used in God's public worship in this our kingdom. Commanding also all archbishops and bishops, and other presbyters and Churchmen, to take a special care that the same be duly obeyed and observed, and the contraveners condignly censured and punished; and to take especial care that every parish betwixt and Pasch next, procure unto themselves two at least of the said Books of Common Prayer for the use of the parish. The which to do we commit to you conjunctly and severally our full power

vensis, ut ait, disciplinæ zelotas.' The reader who reaches the end of this quarto volume of 950 pages will probably feel satisfied that he has seen enough of that side of the controversy. Calderwood's book is valuable, however, as it is the amplest display of the testimony of his party while there was yet room for peaceful discussion, and before controversy had passed into war. It may be noted, however, that the reader of the controversial literature of the day, even after the critical affair of St Giles, will be surprised to find how much more abundant didactic pedantry is than exciting reference to the passing events. The works on the question by Robert Baillie are numerous and long titled. By far the best account of them, apart from that appended to his Letters, will be found under their author's name in Mr Halket's catalogue of the Advocates' Library.

In the Supplication, of which hereafter, the iniquities of the Service-book are thus rapidly and emphatically told. In the book "not only are sown the seeds of divers superstitions, idolatry, and false doctrines, contrair the true religion established in this realm by divers Acts of Parliament, but also the Service-book of England is abused, especially in matter of the communion, by additions, subtractions, interchanging of words and sentences, falsifying of titles, and misplacing of collects, to the disadvantage of reformation, as the Romish mass, in the main and substantial points, is made up therein."—Rothes's Relation, 49.

by these our letters, delivering the same by you duly execute and indorsed again to the bearer.—Given under our signet at Edinburgh the 20th day of December, and of our reign the twelfth year, 1636."

Surely it may be safely said that the history of Christianity cannot show another instance of a book of devotion announced in such a fashion to its devotees. Being the writ employed for the enforcement of obligations, and especially for the recovery of debts, the preparation of it implied that there would be resistance to the use of the book, and that such resistance was to be put down by force. The solicitor addicted to sharp practice will find himself immediately at home in this part of the Service-book, and will perhaps admire its skilful draftsmanship.[1] And indeed there is ground for suspicion that this document was the work of a skilful and designing lawyer. It was not a document to be prepared by Laud or any of the king's clerical advisers. It had to be drawn under the direction of the Scots Privy Council; and there arose a well-warranted suspicion that there were men in that conclave who saw that a struggle must come, and desired to hasten it and have it over. Whether or not the king and Laud got assistance of such a sinister kind, it may be said of their whole scheme, that a general

[1] The editor of the Reliquiæ Liturgicæ, coming to the words "betwixt and Pasch," feeling as if something were wrong, says in a note: "So in the original: there seems to be a word omitted; but the sense no doubt is, 'between *this* and Easter next.'" The supposition is correct; but if the learned divine had gone so far out of his usual course in consulting authorities as to have sought enlightenment from a sheriff-officer or other member of the bailiff class in Scotland, he would have been informed that the passage is in correct style, the ellipsis being a technical peculiarity in some legal forms in Scotland.

in the tactics of a campaign, or a political leader in the organisation of his party, could scarcely have invested greater skill in the accomplishment of their respective objects than the promoters of the Book of Canons and the Service-book contributed to the troubles that were coming. When the disastrous results thus obtained are contrasted with the ends sought by the projectors, the effect is to neutralise adverse criticism on the conduct of the king and his adviser Laud. By all calculation founded on history and the springs of human action, the results that did come were so likely, that those who expected anything else must be supposed to have looked to other than natural cause and effect, and to have got into the irresponsible condition of those who are acquitted by a jury on the ground of insanity.

Nothing was wanting even in trifling details to complete the hostile position. The book itself was a folio very conspicuous in size for the period. It was printed in red and black, the black type being of that Gothic letter which had been obsolete for nearly eighty years, and was associated with the literature of the old Church. There had arisen in Scotland a strong feeling against pictures, especially in works of devotion; and there had been some angry remonstrances about copies of the Bible brought from Holland with decorated capitals. This was of course an access of the old suspicious horror of subtle approaches to idolatry, and the breach of the Second Commandment. To feed this excited spirit, the Service-book was amply decorated with pictorial capitals and other illustrations, and was, as far as the art of the day could accomplish, brought

to a parallel with the most brilliant specimens of illuminated breviaries and missals.[1]

[1] A Scottish typographical critic of the early part of the eighteenth century has left the following tribute of admiration to the artistic finish of the Service-book, as compared with an edition of the English Prayer-book of the same date: "You'll see, by that printed here, the master furnished with a very large fount—four sheets being insert together; a vast variety of curiously-cut head-pieces, finis's, bloom-letters, factotums, flowers, &c. You'll see the compositor's part done in the greatest regularity and niceness in the kalendar, and throughout the rest of the book. The pressman's part done to a wonder in red and black; and the whole printed in so beautiful and equal a colour, that there is not any appearance of variation."—"The publisher's preface to the printers in Scotland," prefixed to 'The History of the Art of Printing, containing an Account of its Invention and Progress in Europe,' Edinburgh, 1713, being a translation of the 'Histoire de l'Imprimerie et de la Librairie of Jean de la Caille.' The Service-book in the original edition is rare and costly. There is a plain reprint of it in octavo dated 1713. Investigators are accustomed to suspect the honesty and exactness of reprints of religious books; but this is believed to be a verbatim repetition of the original, nothing being altered but the spelling. The almanac prefixed to it begins in the year 1637, and in the litany the royal prayer is for "Charles, our most gracious king and governor." The Service-book is one of the magnificent collection of liturgies reprinted in *facsimile* for Pickering in 1845. The Communion Office was reprinted in 1764, and repeatedly in recent years for those who prefer it to the English form. An edition of the Communion Office in folio, with musical notation, and enriched borders in the style of the sixteenth century, bears the imprint, "London, James Burn, Portman Street, 1844."

Baillie gives the following typographical anecdote about the Service-book: "It was well near May ere the books were printed; for, as it is now perceived by the leaves and sheets of that book which was given out athort the shops of Edinburgh to cover spice and tobacco, one edition at least was destroyed; but for what cause we cannot learn, whether because some gross faults were to be amended, or some more novations was to be eked to it. Both reasons are likely, only it is marvellous that, so many being conscious of necessity to this deed, the secret of it should not yet come out."—Rothes's Relation, 197.

CHAPTER LXIX.

Charles I.

THE CRISIS—BOOK OF COMMON ORDER READ IN PEACE—SCENE ON READING "LAUD'S LITURGY," OR THE SERVICE-BOOK—THE "DEVOUTER SEX"—INQUIRY AS TO THE IDENTITY OF JENNY GEDDES—THE SCOTTISH COUNCIL AND THE COURT—QUESTION TRIED WITH RECUSANTS—THE POLITICAL SITUATION—THE DOUBLE OPPOSITION—THE RELIGIOUS BRANCH OF IT—THE HOLDERS OF ECCLESIASTICAL ESTATES—CONSERVATIVE CHARACTER OF THE OPPOSITION—THE "SUPPLICATIONS"—THE SUSPENSE—THE PROCLAMATIONS AND PROTESTATIONS—INDIGNATION AND MOBBING—THE INCIDENTAL CONSTRUCTION OF THE TABLES—CONSOLIDATED INTO A STATE POWER.

ALL was now ready for the explosion. It was understood that the Service-book was to become the ritual of all the churches in Scotland in the Easter of 1637. For some reason not well known, however, the crisis was postponed; and the reprieve seems to have caused that accession of nervous irritation which often arises from the deferring of a critical trial which people wish to see well over. On the 16th of July, those among the Edinburgh clergy who agreed to comply with the royal warrant announced that the Service-book would be used in their churches on the Sunday next following. In the morning, as we have seen, the usual prayers had been read from the old Book of Common

Order. After this, the book which was to supersede it was inaugurated with all becoming pomp. The Archbishop of St Andrews was present; the Bishop of Edinburgh was to preach, and the Dean in his surplice to read the service. Whenever he opened the fatal volume, there arose in the congregation a confused clamour, waxing louder, and exciting those who partook in it to practical violence—one of those confused scenes the exact progress of which cannot be traced. It is certain that books and other missiles at hand were thrown, and that the Bishop of Edinburgh, who stood up to rebuke the rioters, narrowly escaped a blow on the head from a stool. The disturbers were, to use a contemporary definition, at first almost limited to the "devouter sex." Some of them, no doubt, were zealots; but the bulk of those contributing outcry and violence were creatures of that debased mob-element, with animal instincts, ever tending to abuse and violence when they are excited. It would appear that the "fauld-stools," or folding-stools, so well known over all the churches of Christian Europe, were then used in Edinburgh, and that it was the practice for a domestic servant to carry from the house into the church the stool belonging to her mistress, and occupy it until the arrival of the owner. Hence a contemporary, describing the scene, says: "A number of the meaner sort of the people, most of them waiting-maids and women who use in that town for to keep places for the better sort, with clapping of their hands, curses, and outcries, raised such an uncouth noise and hubbub in the church, that not any one could either hear or be heard."[1] To account for the gentlewomen

[1] Gordon's History, i. 7.

delaying to come and occupy their seats on so novel and exciting an occasion, we must suppose that they abstained from countenancing the idolatrous ceremonial, and were to be present only at the sermon. Meanwhile their stools—crossed sticks strapped together—were very convenient missiles.[1]

[1] One of the most distinct and familiar of historical traditions attributes the honour of flinging the first stool, and so beginning the great civil war, to a certain Jenny or Janet Geddes. But a search among contemporary writers for the identification of such an actor on the scene, will have the same inconclusive result that often attends the search after some criminal hero with a mythical celebrity when he is wanted by the police. It appears that a woman named Jenet Geddis was at a later time an Edinburgh celebrity; but the only occasion on which her fame is mentioned is for an act of a totally different character from the throwing of the stool—it is for her conspicuous part in the rejoicings at the Restoration, recorded in this lively manner by a contemporary news-writer :—

"Amongst all our bontadoes and caprices, that of the immortal Jenet Geddis, princess of the Trone adventurers, was most pleasant; for she was not only content to assemble all her creels, basquets, creepees, furms, and the other ingredients that composed the shope of her sallets, radishes, turnips, carrots, spinnage, cabbage, with all other sort of pot-merchandise that belongs to the garden; but even her weather chair of state, where she used to dispense justice to the rest of her lankale vassals, were all very orderly burned, she herself countenancin the action with a high-flown claret and vermilion majesty."—Edinburgh's Joy for his Majesty's Coronation in England, 6.

Perhaps, like some of the demigods of antiquity, this woman had acquired such a character that any conspicuous or violent act naturally gravitated towards it. Janet was, it appears, an herb-woman or green-grocer; but it will hardly confirm the tradition to find that, after another interval of nearly thirty years, a pamphleteer of the Revolution epoch thus attributes the throwing of the first stool to a woman of that profession :—

"After a world of arbitrary proceedings, the Common Prayer-book was sent down into Scotland, where the king had no more right to send it than into the Mogul's country.

"But the old herb-woman at Edinburgh put an end to that game; for hearing the archbishop who watched the rubrick, directing him that read the book to read the collects of the day, she made a gross mistake, and cried, 'The deel collick in the wem of thee!' and withall threw her cricket-stool at his head, which gave a beginning to the war of Scot-

It has been already seen that the practice of the response was fundamentally obnoxious to the promoters of the simple Scots ritual or Book of Common Order.[1] On the present occasion the practice afforded an opportunity for distributing the offences of the Service-book in the bosom of the congregation. We are told how "the gentlewomen did fall a-tearing and crying that the mass was entered amongst them, and Baal in the church. There was a gentleman, who standing behind a pew, and answering 'Amen' to what the dean was reading, a she-zealot hearing him, starts up

land."—Notes upon the Phœnix edition of the Pastoral Letter; Works of the late Rev. Mr Samuel Johnson, p. 320.

There remains still an item to make up the fagot of incoherent and fragile testimonies to the fame of Jenny Geddes, in the following fragment of a sarcastic song:—

"Put the gown upon the bishop,
That's his miller's due o' knaveship;
Jenny Geddes was the gossip
Put the gown upon the bishop."

The word "knaveship" has no connection with knavery. It meant the feudal allowance due by the farmer to the knave or servant working at the mill where he was bound by feudal tenure to take his grain to be ground. But even this explanation will not help to the mystery about throwing the stool. The song, too, only first appeared in print in Johnson's Musical Miscellany, No. 450. Burns was the most important contributor to this work, so that the authority for this lyrical gem is no older than his day. The annotator on Johnson's collection gives it an origin far wide of the Covenant: "This is a mere fragment of one of those satirical and frequently obscene old songs composed in ridicule of the Scottish bishops about the period of the Reformation."—Illustrations of the Lyrical Poetry and Music of Scotland, 390. Wodrow, on the authority of Robert Stewart—a son of the Lord Advocate of the Revolution—utterly dethrones Mrs Geddes: "He tells me that it's the constantly-believed tradition that it was Mrs Mean, wife to John Mean, merchant in Edinburgh, that cast the first stool when the service was read in the New Kirk, Edinburgh, 1637; and that many of the lasses that carried on the fray were prentices in disguise, for they threw stools to a great length."—Analecta, i. 64.

[1] See above, chap. xlix.

in choler. 'Traitor!' says she, 'does thou say mass at my ear?' and with that struck him in the face with her Bible in great indignation and fury."[1] The magistrates of Edinburgh were present to grace the occasion. The perplexed clergyman appealed to them, and they managed to get the rioters driven out. Service went on in presence of those who decorously remained. But the excluded mob, joined by others of their kind, kept roaring round the building and battering at the doors. When the service ended, the Bishop of Edinburgh, in passing to his house, was threatened and hustled by the mob. He was still at their mercy when he reached his own door, for it was closed; and if his neighbour, Lord Wemyss, had not given him shelter, he would have remained in imminent danger. There were disturbances in the other churches in Edinburgh where the Service-book was opened. Such members of the Privy Council as could be hastily assembled, concerted with the magistrates how to protect the churches during the afternoon service; and though they succeeded in this, there was still a fierce pursuit of the bishop. He was escorted by the Earl of Roxburgh, the Lord Privy Seal, who found him an unsafe companion, since it was with difficulty that some armed guards protected the carriage in which they drove together from destruction by the mob.

The Bishop of Dunkeld, in an account of the outbreak, says it was not fortuitous, but had been carefully planned by members of the Presbyterian party.[2] As the result of organisation, however, such a scene would only have testified to weak and stupid counsels.

[1] Gordon's History, i. 7.

[2] Guthry's Memoirs, 43.

Its powerful significance was in its testimony to a great indignation filling the country, and spontaneously breaking forth in the conduct of those classes who are the most susceptible to exciting causes. Those who afterwards maintained the righteousness of the cause, admitted the baseness of the instruments by which it had been first promoted, and compared them to Balaam's ass, whose mouth had been opened to speak inspired words. Similar tokens of irritation were manifested in other parts of Scotland, and especially in Glasgow, where again it was the "devouter sex" who were the foremost champions of orthodoxy.[1] When the authorities looked into the

[1] The earliest instance which the author has noticed of women assembling in Scotland under clerical influence and committing violence is in the year 1615. The queen's chamberlain was serving certain writs in the town of Burntisland, in Fifeshire: "The officer, at the cross of the town and other parts, is by a multitude of women, above ane hundred of the bangster Amazon kind, most uncourteously dung off his feet and his witness with him, they all hurt and blooded; all his letters and precepts reft fra him, riven, and cast away, and so chased and stoned out of the town. This done *clara luce* little before noon, the people beholding, some magistrates, as is proven by some witnesses, going on the street beside, the bailie's own wife principal leader of this tumultuous army of Amazons—no man could esteem but a premeditate device and plot laid down by policy and craft of men." Though the object appears to have been secular, yet the chief instigator of the riot was found to have been "Master William Watson, minister of that town, ane wha indeed has been principal ruler of that town this lang time."—Letters relating to Ecclesiastical Affairs during the Reign of King James the Sixth, 433.

The assaults on the heterodox by "the devouter sex" were numerous. One had an excuse which added a great fund of insult and humiliation to the injuries inflicted on the victim. He was beaten because, not being a popular preacher, he occupied the pulpit in which one of that class—Henry Rolloc—was expected to appear. The viragos assembled to enjoy a theological feast adapted to their voluptuous appetites, found common parish fare, and vented their wrath on the cause, "who, finding that D. Elliot went to pulpit when they expected Mr Henry Rolloc, after sermon fell upon him and Mr Fletcher with many sad strokes."—Baillie's Letters, i. 109.

state of public feeling in Edinburgh, they found it so formidable that they thought it necessary to suspend all assemblages for public worship. The bishops had given instructions to the clergy "that neither the old service nor the new-established service be used in this interim,"—recommending, however, that there should be sermon, preceded and followed by prayer.[1] But the prohibition went further, and the city was compared to a community under the old Papal interdict, or, as a country clergyman described it: "In Edinburgh itself, for a month's space or thereby after the first tumult, there was a kind of vacancy of divine service upon the week-days, the churches standing desolate, without either preaching weekly, as the custom was, or morning and evening prayer daily, which looked like a kind of episcopal interdict which the town was put under, which did but heighten the rage of the people, who were already in a distemper and discontentment."[2]

In the mean time the power of the king's warrant to enforce the use of the Service-book by letters of horning was put to the test. This brought out in a curious shape the effect of the practice, so often noticed, of the Crown having to resort in Scotland to those ordinary forms of law used between subject and subject. In Scotland it could not be said that there was any institution clearly marked off, like the royal prerogative in England.[3] Hence, if the king's

[1] Council Record, Peterkin's Collection, 52.

[2] Gordon's History, i. 14.

[3] For instance, that prerogative process, the writ of extent, for levying the claims of the Crown preferably to other debts, was unknown in Scotland until it was established by an Act of the British Parliament immediately after the Union of 1707. Before it came over, it had been

process were disputed, the monarch and the subject entering a court of law together, had a tendency to nourish a sense of equality between the two. The question was tried on the application of three ministers in Fifeshire; and the importance of the position they held as fighting the Crown in a great State question was enhanced by the eminence of one of their number, Alexander Henderson, minister of Leuchars, the rising hope of the Presbyterian party.

This process, technical and sedately formal, was in vivid contrast with the storm outside. The three ministers raised a "suspension" against the charge of horning.[1] They stated that on being charged to purchase two of the books, each of them had intimated his willingness to receive the book, and read it that he might see what it contained, "alleging that in matters of God's worship we are not bound to blind obedience." This permission to read the book beforehand was not granted; "and yet," they add, "we are now charged with letters of horning, directed by your lordships upon a narrative that we refused the said books, out of curiosity and singularity, to provide each one of us two of the said books for the use of our parishes."

The pleas urged for the three suspenders were brief

moulded into a beneficial process for realising the public revenue; but in its native country it had been one of those shapes of arbitrary power for which many of the English kings struggled so resolutely.

[1] In the crowd of ecclesiastical litigations which ended in the secession of the body constituting the Free Church, the term "suspension" was frequently used, and was apt to puzzle those strangers to the law of Scotland who took an interest in her religious controversies. It is a process by which a court of law is called upon to suspend any enforcement of a writ or other hostile act until its legality is formally discussed.

appeals to the law, touching but slightly on the great ecclesiastical disputes at the root of all—as, for instance: "Because the book is neither warranted by the authority of the General Assembly—which are the representative Kirk of this kingdom, and hath ever since the Reformation given directions in matters of God's worship—nor by any Act of Parliament, which in things of this kind hath ever been thought necessary by his majesty and the Estates. Because the liberties of the true Church, and the form of worship and religion received at the Reformation and universally practised since, is warranted by the Acts of General Assemblies and divers Acts of Parliament, especially the Parliament 1567, and the late Parliament 1633."[1]

The question was tried in the Privy Council, or the Secret Council, as it was called in Scotland. This body was not, as its name might import, merely the executive staff of the Crown. They professed to exercise two functions—the executive or ministerial, and the judicial; and they kept the two separate from each other. Their court was in some measure the rival of the Court of Session, as in England the King's Bench and Exchequer were the rivals of the Common Pleas. The Council had all that reluctance to decide a broad principle, if a narrow one will suffice, which in the English courts brought out many a decision that a slave-owner had not proved his title to the slave he claimed, before there was a decision on the broad principle that no title whatever could make good such a claim.

In this instance the Council were not driven to decide the question whether it was within the power of the Crown and the executive to enforce the proclamation

[1] Rothes's Relation, 46.

prefixed to the Service-book. They found that the letters of horning extended to the buying of the book, and no farther. Thus the use of it as a ritual was virtually "suspended." The prelatic party thought they could see in this a lack of zeal for their cause and the king's—and perhaps they were right. It was among the personal hardships brought on by political convulsions, that the Scottish bishops were, as a body, compromised by Laud and his vehement followers. If any of them desired it, yet they could not extricate themselves from the prelatic party; and they were destined to find themselves in a sadly friendless position. A large body of the aristocracy were, as we have seen, from strong causes of self-interest, their natural enemies; and events were giving their ecclesiastical opponents a sweeping popularity among the people. Against the pressure of such forces they had no stay except the precarious and relaxing hold of their zealous brother at the head of the alien and hostile English Church.

On the question how far the Service-book was accepted in the territories farther northward, the shape taken by one exception would be enough to prove the generality of the rule that the book was abjured. The Bishop of Brechin, on the frontier land between the Presbyterians of the south and the Cavaliers of the north, resolved to serve his king and his order by reading the book. So one Sunday, by Baillie's account, "when other feeble cowards couched," he "went to the pulpit with his pistols, his servants, and, as the report goes, his wife with weapons. He entered early, when there were few people. He closed the doors and read his service. But when he was done he could scarce get to his house—all flocked about him; and had he

not fled he might have been killed. Since, he durst never try that play over again."[1]

Of Robert Baron of Aberdeen, a metaphysician with a European reputation, Baillie hears with horror that he has written in commendation of the Service-book. "I tender," he says, "that man's reputation as one who was half designed to our theologic profession in Glasgow, which we can never attain to with any tolerable contentment of our country were he an angel, if once he hath fyled paper in maintenance of this book."[2]

When reports of these events reached the Court, and the news spread through London, there arose that half-incredulous and not unpleasing curiosity which we have known in our own day to attend the faint opening excitements of great convulsions, such as a Parisian revolution or a Sepoy mutiny. There was nothing to excite any feeling beyond curiosity—nothing to connect the strange actings of a strange and remote people with the great home questions which were disturbing the equanimity of thinking men in England. Clarendon, writing back from a full knowledge of the momentous influence to be thrown by these events on the fate of England, says: "The truth is, there was so little curiosity either in the Court or the country to know anything of Scotland, or what was done there, that when the whole nation was solicitous to know what passed weekly in Germany and Poland, and all other parts of Europe, no man ever inquired what was doing in Scotland, nor had that kingdom a place or mention of one page of any gazette."[3] This lack of information the great annalist attributes to the

[1] Letters and Journals, i. 41. [2] Ibid., 64. [3] History, i. 110.

king's jealousy of any possible interference with his ancient kingdom, "and that it might not be dishonoured by a suspicion of having any dependence upon England." If this was what the king desired to impress on English statesmen, Laud acted so as to create the opposite impression in Scotland. He scolded those whom he held responsible in the matter, lay and clerical, like a testy commander whose brilliant tactics are wrecked through the incapacity or cowardice of his subordinates:—

"His majesty takes it very ill that the business concerning the establishment of the Service-book hath been so weakly carried, and hath great reason to think himself and his Government dishonoured by the late tumult in Edinburgh, July 23; and therefore expects that your lordship and the rest of the honourable Council set yourselves to it that the Liturgy may be established orderly and with peace, to repair what hath been done amiss."

"Nor is his majesty well satisfied with the clergy, that they which are in authority were not advertised that they might attend the countenancing of such a service, so much tending to the honour of God and the king."

"Of all the rest, the weakest part was the interdicting of all divine service till his majesty's pleasure was further known. And this, as also the giving warning of the publishing, his majesty at the first reading of the letters and report of the fact checked at, and commanded me to write so much to my Lord of St Andrews, which I did; and your lordship at the Council (July 24) spake very worthily against the interdicting of the service—for that were in effect as

much as to disclaim the work, or to give way to the insolency of the baser multitude; and his majesty hath commanded me to thank you for it in his name. But the disclaiming of the book as any act of theirs, but as it was his majesty's command, was most unworthily. 'Tis most true the king commanded a liturgy, and it was time they had one. They did not like to admit of ours, but thought it more reputation for them—as indeed it was—to compile one of their own, yet as near as might be; and they have done it well. Will they now cast down the milk they have given because a few milkmaids have scolded at them? I hope they will be better advised." [1]

The king issued a brief stern order that the Council bring "the rude and base people" guilty of the tumult to punishment, and at the same time give fitting support to the clergy.[2] The Council directed that the proper steps should be taken to bring the offenders to punishment; but although some persons were apprehended and examined, from whatever cause it might be, no one was punished for the affair. There also reached the disturbed and wavering Council an order under the king's hand for enforcing the absolute use of the Service-book throughout the country. Its tone is that of a master rebuking servants for negligence or remissness in their duty.[3]

These rebukes and commands from the Court in London reveal a total unconsciousness of there being any difficulty beyond what proper attention to official duty can at once remove. In their lazy journey to Scotland, however, they were crossed by sinister inti-

[1] Hidden Works, 165, 166.

[2] Privy Council Record, Peterkin, 52.

[3] Ibid., 54.

mations that the acts of the rabble were receiving support and countenance from men of position and power.

An outbreak, even though it be by a paltry rabble, is often the occasion that brings men of gravity and responsibility forward on the political stage. The machinery of government is set in motion, and they have to choose what part they will take in the events to come. There is something wrong; and the question now comes practically forward, Who is fundamentally responsible for it? The long-pent-up wrath that had been accumulating through the country came forth in all its power and fulness. A variety of petitions, or "supplications," as they were termed, poured in upon the Council; and the ever-increasing body who signed them became a sort of power in the State under the humble name of "the supplicants." They were of all ranks. Thus we have "the petition of the men, women, children, and servants of Edinburgh," and likewise "the petition of the noblemen, gentry, ministers, burgesses, and commons, to the Council, against the Service-book and Book of Canons."[1]

There was an organisation for the preparation and signing of these petitions; and the zeal of the supplicants was amply fed by a body of practical politicians who had now taken their resolution to fight a keen political battle with the Court. The petitions were so multifarious, and kept pouring in so continuous a stream of varied remonstrance into the council-chamber, that to analyse them, either according to their several purports, or the classes

[1] Privy Council Record, Peterkin, 56.

of persons from whom they came, would fill a tedious and not very instructive narrative. It may suffice to say, that although the strength of the opposition was still in its political element, yet common cause was made between the politicians and the clergy; and there was always enough about the grievances to the consciences of the serious to secure their co-operation. That the innovations, resting on the sole authority of the Crown, without any sanction from the Estates or a General Assembly, were an invasion of the constitution and the national liberties, was the main position held by the supplicants; but this position was strengthened and the clergy propitiated by the statement that the innovations in their substance were offensive to the people, as savouring of English interference or of Popery.[1] The Five Articles of Perth and some other ecclesiastical laws were doubtless offensive to many persons; but in their adoption the forms at least of the constitution were observed; and however much those whose consciences repelled them might struggle personally against their enforcement, there was in them no warrant for a national stand against the encroachments of the prerogative upon the powers and privileges of the Estates of the realm. The general tone of these documents is briefly expressed in the following passage from the "Supplication of the Town of Glasgow": "We have been unwilling to oppose the beginnings of alterations from the uniform practice of public worship in this realm since the first Reformation, but gave way to what was concluded by the Acts of a General Assembly and Parlia-

[1] Specimens of the supplications will be found in Rushworth, ii. 394 *et seq.*; Rothes's Relation, 48 *et seq.*; and Peterkin's Records, 49 *et seq.*

ment, being put in hopes from time to time that the alterations should proceed no further; but now are appalled with fears to see ourselves *brevi manu* deprived of that liberty in serving God which both State and Church approved by public authority, and constrained to embrace another, never so much as agitate in any General Assembly, or authorised by Parliament."[1]

The supplicants treated the king's person with great reverence, if that may be called reverence which implies a charge of incompetency for government, and a weak compliance with the will of designing men. Their vehement protestations of loyalty, indeed, have a tone slightly grotesque in the face of the work in which they were employed. Among the reasons which they say specially moved them in one of their gatherings was, "to complain of a number of bishops, ministers, and other their followers, who, grieving at their opposing of them, scandalously and wrongfully called the petitioners mutinous and rebellious subjects; the imputation whereof was intolerable unto them, who had God to be their witness that they will rather undergo death itself than be guilty of that sin; that never any such word or motion had been heard among them that tended further than humbly to supplicate as the most submiss way allowed to the meanest of the subjects."[2] They showed very distinctly, however, that they would not have the king indorse over to his bishops or anybody else the reverence which they admitted to be due to himself.[3] He had ordered

[1] Rothes's Relation, 43. [2] Ibid., 24.

[3] To understand how the spirit of loyalty could live along with hostility to the king's Government, it is necessary to shut the mind against a natural popular delusion which treats the Conservative statesman of

his Council not to receive any supplications censuring the bishops, or dealing disrespectfully with them; and as a sort of commentary on this prohibition, the suppliants charged the bishops as the prime stirrers-up of all the mischief, and demanded that they should be removed from the council-board, where their complaints were to be considered, being parties accused, and therefore incapacitated from acting as judges—and all with the usual reverence for the king himself, thus: "We being persuaded that these their proceedings are contrary to our gracious sovereign his pious intention, who, out of his zeal and princely care for the preservation of true religion established in this his ancient kingdom, has ratified the same in his highness's Parliament 1633, and so his majesty to be highly wronged by the said prelates, who have so far

the present day as the political representative of the Cavalier of old. The conditions of this identity have to be almost inverted. In England the Parliamentary party were the Conservatives; the courtiers were the innovators. Events, no doubt, leading to war, led also to the consequences of war—the breaking up of old institutions. But ere events came to that alternative, the efforts of all the leading men—of Elliot, Pym, Hampden, and their brethren—were for the preservation of the constitution. If the business done in the Long Parliament be compared with that performed by the Tiers Etat and the Directory, the antithesis is at once visible. In the one, all is order, precedent, and ancient usage; in the other, even in its innocent moments, there are but idle visions of liberty, equality, and fraternity. The men most dreaded and hated by the Court in England were of the class with whom revolution and anarchy are least apt to be associated—men like Cotton, Prynne, and Selden, who spent their hours in learned privacy, and drew wisdom from ancient parchments. When they spoke honestly, they were the most dangerous enemies of the Court; if they treacherously hid or distorted their knowledge, they could become its most valued and powerful friends. Tampering with the religion of the people was the shape which innovation had in some measure taken in England. In Scotland it took this shape more amply. But in both nations the original cause of all the mischief was the encroachment of the Court on the established constitution of the country.

abused their credit with so good a king as thus to ensnare his subjects, peril our Kirk, undermine religion in doctrine, sacraments, and discipline, move discontent between the king and his subjects, and discord between subject and subject, contrary to several Acts of Parliament—do, out of our bounden duty to God, our king, and native country, complain of the foresaid prelates, humbly craving that this matter may be put to a trial, and these our parties taken order with, according to the laws of this realm, and that they be not suffered to sit any more as our judges, until this cause be tried and decided according to justice."[1]

Getting no ready answer to their appeals, the supplicants tried to rouse the attention of the Council by repeating their remonstrances in varied terms of urgency, and so they fell upon the bishops again, thus: "We noblemen, barons, burrows, ministers, appointed to attend his majesty's answer to our humble petitions, and to do what else may conduce lawfully to our humble desires, do crave that all archbishops and bishops may be declined and not permitted to sit as our judges, nor to vote or judge in the answer or answers to be made or given by your lordships to our supplication and matter of our complaint therein contained, because the said archbishops and bishops are, by the said supplication and whole strain thereof, made out direct parties, as contrivers, devisers, introducers, and maintainers, and urgers upon us and others, his majesty's good and lawful subjects, of the book called the Book of Common Prayer, and the other called the Book of Canons and Constitutions for the

[1] Rothes's Relation, 50.

Government of the Kirk of Scotland, both altogether unlawful."[1]

While countless papers, expressed in such and sometimes more verbose and tedious tenor, were pouring in upon the perplexed Council, the supplicants who signed them began to push their objects in a shape more menacing. By a sort of mutual tacit understanding the battle of the adoption or rejection of the Service-book was to be fought in Edinburgh—any contests elsewhere were secondary and ephemeral; and the nation looked for its fate to the capital. Thither the opponents of the Government in other parts of Scotland began to throng in, announcing that they came to receive the answer which the Council had to make to their supplications. Thus to the already excited and formidable mob of Edinburgh there was added a great auxiliary force, and a bloody insurrection might at any moment break out.

While the assembling of the supplicants was yet in its infancy, the Duke of Lennox had to pass through Edinburgh from attendance at his mother's funeral in the west. It was rumoured that he was intrusted with powers to deal with the questions disturbing Scotland; but whether so or not, he was, as the king's cousin, one who had easy access to the centre of authority. It was desired that he should be the bearer of the supplications, and that he should carry with him to Court a lively impression of the deep sense of wrong felt by all ranks of the community. It was resolved, that in going from Holyrood House to the council-chamber by the High Street, he should pass between two rows of supplicants; and so we are

[1] Rothes's Relation, 51.

told that "when the duke came up the way the ministers were all ranked betwixt the cross and the Luckenbooths on the south side of the gate; the nobility and gentry all ranked on the north side, over against the said Luckenbooths."[1] When the duke took his journey to London he carried with him sixty-eight petitions, signed by so many groups of supplicants.

The supplicants waited on day after day and week after week in growing impatience for an answer to their appeals. In the middle of October the influx of strangers rose to its highest, for it was rumoured that the answer was at hand. On the 17th, that answer, if answer it could be called, was made known in the shape of three exasperating proclamations by the Council, who took good care to set forth in distinct terms that they expressed the literal commands of the king. The chief object of the first in order was to drive the crowd of strangers out of Edinburgh—"to command every one that hath come hither to attend this business to repair home to their own dwellings within twenty-four hours after the publication hereof, except those who can prove that they have business in Edinburgh, under pain of rebellion and of putting them to the horn; with certification to them that if they fail they shall be denounced rebels and put to the horn, and all their movable goods escheat to his majesty's use." Another proclamation professed to execute the threat uttered by King James, to make Edinburgh a desolation by removing the Council and the supreme courts—the representatives of royalty and central government. The first session was to be held

[1] Rothes's Relation, 9.

at Linlithgow, as conveniently at hand, and then there was to be a removal for permanent settlement in Dundee. The third denounced a book which had become offensively popular — Gillespie's 'Dispute against the English-Popish Ceremonies obtruded on the Church of Scotland.'[1] A day was named when all who possessed the book should bring it to the Council, and those found in possession of it after that day were to "incur the like censure and punishment as the author may be found to deserve for anything contained in that book."[2]

The reading of these proclamations at the market-place lashed into fury that formidable institution the mob of Edinburgh. Their first opportunity of mischief was afforded by the Bishop of Galloway walking openly and unconcernedly along the street to the council-house. They rushed on him, and he fled for his life into the council-house, which he might not have reached but for the aid of a friend bold and strong—a son of that Stewart, Earl of Bothwell, who had been so troublesome to King James. There he was besieged by the roaring mob; and when some members of the Council, hearing of his danger, went to his relief, they too were pursued by the mob to the door of the council-house, and held prisoners there when they got within. They managed to smuggle out a messenger, who carried information of their danger to the city chambers, where the magistrates were. Some of these, however, especially the provost, were unpopular, as deficient in sympathy with the supplicants; so they too were in a state of siege. In

[1] See above, p. 436.

[2] See the proclamations at length, Rushworth, ii. 401, 402.

fact they had to capitulate, for, feeling in imminent peril, they signed a paper promising honest co-operation with the supplicants. This turned the wrath of the mob from the magistrates, and left them free to consult with some members of the Government about the relief of those in the council-house. This and the appeasing of the mob in general were accomplished through the intervention of the men of rank and position who had become leaders among the supplicants. As usual when a mob is at its rough work, there were many incidents of personal insult and injury. The worst of these seems to have fallen on Traquair, the Lord Treasurer. He was hustled and thrown down, and those about him having with difficulty raised him, "without hat or cloak, like a malefactor he was carried by the crowd to the council-house door." He must have been walking in state when this occurred, for among his other calamities was the loss of his official white wand.[1]

The high officers of the Crown had to feel that it was not to their own authority and power that they owed protection and the peace of the city, but to the intervention of the graver and more responsible of the opposition. Yet of these it was remarked that they did not on this occasion affect the same hearty repudiation of the conduct of the rioters which they had professed on the occasion of the tumult in the church. "Nor," says a bystander, "was there the least show or signification of any desire they had to see them punished or questioned; whereby all thought that greater and more regular actors were now to step out

[1] Rushworth, ii. 402; Gordon's Scots Affairs, i. 21. A considerable portion of the narrative is word for word the same in both.

and act." [1] The Council issued a proclamation against tumultuous assemblies, but any obedience paid to it may be attributed to the abandonment of any attempt to enforce the more formidable proclamations dictated by their master. The crowd of supplicants remained in Edinburgh; and when the more conspicuous of them condescended to account for their conduct, they said they chose to remain on their lawful business—the "term" or periodical time of the adjustment of accounts and payment of rents was near, and "their lordships behoved either to stay creditors from seeking their debts, or else give them more time to take order with their business." [2]

Among the supplicants assembled in Edinburgh, several appeared not for themselves merely, but as commissioners representing municipal corporations. These observed with uneasiness that the corporation of Edinburgh did not take part with them. It was of great moment to secure the co-operation of this body, as it was clear that the coming contest was to be fought in Edinburgh. This end was accomplished through a mob-pressure of the passive kind, where weight and earnestness are trusted to do the work without active violence. An active leader of the party describes the excitement of the people, and the religious tone which was deepening into it, in terms so minutely descriptive that they would be spoilt by any alteration: "They did again press ane Act of their council for choosing commissioners to supplicate with the rest of the kingdom for restoring their ordinary common prayers, their lawful pastors, and usual readers—ane great cause likewise of the popular com-

[1] Gordon's Scots Affairs, i. 25.

[2] Rothes's Relation, 16.

motion. The magistrates granted this Act very willingly to them, which the whole Town Council has confirmed since. No violence nor wrong was intended nor performed by the said multitude, no weapons used, or present, as the Lord Treasurer and Wigton—who went up to the provost, hearing there was so many about the Town Council house, where he was sitting—can testify. Only with cries and tears they desired the preservation of religion, and the keeping away the Service-book and restoring their own; and many prayers for them would stand by the truth. The multitude, who desired earnestly to vent these their prayers and wishes to the councillors, made a great press about the treasurer and Wigton, who, as they returned, withdrew the most part of them after them; and many went away after the Act foresaid was granted by the Town Council. A few stays the provost's outcoming, who did no further injury than by pressing a little to be near for crying thanks for that Act he had granted, till the provost reproached some of them with evil words, which was answered perhaps by some women with the like."[1]

Thus reinforced, the supplicants determined to concentrate their powers on a great effort. They gave in that Supplication which stands prominent among the whole mass for the comprehensiveness both of its promoters and its demands. Hitherto the supplications had come in one by one from separate groups; now there was to be an appeal from the whole body assembled in Edinburgh, comprehensively defining themselves in its opening as "We noblemen, barons, ministers, burgesses, and commons." The previous

[1] Rothes's Relation, 14, 15.

supplications were generally directed against the Service-book alone as a special grievance; but this was comprehensive. It attacked the Book of Canons with much critical vigour, and, coming down to immediate events, protested vehemently against the proclamation for driving the supplicants out of Edinburgh. It contained the bitter censure of the bishops already referred to, and was altogether far less supplicatory than the previous supplications; in fact there was visible through its formal courtesies and professions of reverence for the king, a decided tone of menace. To help them to deal with demands all too full and distinct, the Council had instructions from Court, which, except as to the offensive proclamations, were brief and indistinct. They were "to find out and punish the stirrers-up" of the original tumult—an achievement utterly hopeless. To the immediate purpose the king said: "We have seen the letter and petitions sent us therewith, which we think not fit to answer at this time, but will do it when we shall think fit. And because we are not resolved for the present when to do it, we command you to dissolve the meeting this council-day in so far as it does concern this business."[1] This dubious instruction was repeated in the Council's proclamation, and they interpreted it as a general order to abandon all dealing with the ecclesiastical dispute until they received further instructions. Holding this view, when the great supplication came up they opened it, as not knowing what the contents of the packet might be; and when they "found it concerned Kirk matters, they professed they would read none of it, and were offended the peti-

[1] Balfour, ii. 236.

tioners should present anything which they had declared themselves unable to receive—taxing the petitioners of impatience, who would not wait his majesty's answer."[1]

But the Council, even if the lay members had been as zealous in the cause as the clerical, were utterly helpless. They were unprotected in the midst of a hostile crowd; and though part of this crowd consisted of the aristocracy of the kingdom, who had hitherto been the supporters of the Crown and the institutions of the country, and had influenced the humbler people to the same end, they had cast away all reverence for the monarchy and constitution as then locally represented in Scotland. They were at enmity with the Council; and their moral influence over the humbler crowd, added to their feudal command over their own vassals, made their enmity all the more formidable. In the mean time it was in their protection that the members of the Council found safety from the general mob. The Council could not even obey the injunction to adjourn to Linlithgow without abandoning the capital to the enemy. Of course they enjoined on the stranger supplicants the duty of returning home, in obedience to the king's proclamation; but this precept was received with silent contempt. Indeed the crowd of strangers was seen to increase. The country was stirred by a rumour that on the 17th of November the king's answer to all the supplications would be read in Edinburgh. The Council attempted to stop the current by warnings and remonstrances; "but the advertisements missed some by the evil weather; others came because they could not find content in

[1] Rothes's Relation, 17.

their minds if they stayed at home; others, hearing of their neighbours' coming, could not be withheld."[1]

It was under these exciting conditions that an affair occurred which, taken by itself, was a mere simple arrangement for the peaceable transaction of the business on hand, but in its effects was one of the most momentous events in the history of that eventful period. Professedly to obviate the dangers and mischiefs inseparable from the political action of great crowds, it was agreed on both sides that the several classes into which the supplicants were politically and socially divided should act by committees or representatives. They were for this purpose divided into Nobles, Lesser Barons, Burgesses, and Clergy. Each of these classes was to elect four representatives; and so was created the celebrated and formidable body known in history as "THE TABLES."

If it was not an absolute necessity, the consent of the Council to this arrangement was one of the grandest political blunders ever committed. Wherever a group of men can assemble together, each as the accredited representative of many others, a new power in the State is created. This is a danger well known and guarded against in all constitutional governments. For instance, when any body of persons, not being a corporation acting within their corporate powers, address the British Legislature through such a person as a chairman or secretary, their petition or other document is only received as coming from the individual person whose signature is attached to it. The Council had now set down by their side a deliberative body of sixteen, more powerful than themselves.

[1] Rothes's Relation, 18, 19.

They had better have been in the hands of the Estates of Parliament, of which their master and his zealous servants had a horror, for then two sides would have been represented. But here was a body of men all on one side—a Parliament without an Opposition.

The Council could not have done a better deed in the cause of the supplicants; and yet, if a contemporary who knew well what was passing is correct in naming the authors of the plan, it seems to have been conceived in all simplicity. They were Hay, the Lord Clerk-Register, and the Bishop of Galloway. Hay is a neutral figure in the confusions of the times. The Bishop of Galloway was the public enemy who made so narrow an escape from the second tumult. There he was assailed as "Papist loun, Jesuit loun, betrayer of religion;" and it was charged against him "that he ordinarily had a crucifix in his cabinet where he said his prayers, and did wear upon him, commending by discourse the use of them for remembrance."[1] The motives influencing the several members of the Council in assenting to the formation of the Tables were thus analysed by a contemporary: "The Council acquiesced: such of them as fancied them not—namely, the bishops—to be rid of the unruly multitude; others out of necessity, because they saw

[1] Rothes's Relation, 17-20. Baillie says: "It went also braid and wide, and was told to the bishop's face by my Lord Dumfries before the treasurer, that he did wear under his coat, upon his breast, a crucifix of gold; to which challenge his reply was but faint. A certain gentleman told me that he did see and handle and confer concerning that crucifix with the bishop. For all this, I do not believe it; for I, upon my old respect to the man, made Mr R. Hamilton his familiar pose him upon the matter, who reported to me his full purgation of that calumny. However that synod and commission in Galloway, that supposed lie and crucifix did give no little occasion to the increase of the people's murmurs."—Letters, i. 16.

not how to command them. Nor wanted there in the Council such as willingly promoved the overture, being then their secret friends, but afterwards their open associates."[1]

The mistake was seen when it was beyond remedy. Many fruitless attempts were made to break up the compact body of representatives into morsels. They were told that the committee for each Estate should act separately; it was not intended, and it was in itself unlawful, that they should form one compact body representing their cause throughout Scotland. But to prohibit their acting with a common understanding was too subtle an operation to be accomplished by force, had that been in the Council's possession. That, being in natural possession of a power by which they could molest their enemy and protect themselves, they should freely and scrupulously abstain from using that power was not in human nature. Their consciences were clear within them—they were doing good service. "The whole commissioners professed, if they should appear and petition severally, they would become so hateful to those who had intrusted them as they could not be answerable, nor durst not turn home for fear of their dislike. And when the general meeting was branded with the imputation of unlawful convocation, it was far otherways, their cause being religion, their end just, their meeting peaceable, and their proceedings orderly."[2]

Ostensibly the Tables consisted of but the sixteen persons who were to communicate with the Council, and sit in permanence for that end. But behind these there was a larger representative body

[1] Gordon's Scots Affairs, i. 27, 28. [2] Rothes's Relation, 36.

available when necessary. This consisted of the aggregate electoral colleges, as they might be termed —the bodies by whom the four of each Estate were chosen. The nobility chose so many of their own body to represent them in this aggregate body. It is further pretty clear that each county was represented in the department of minor barons, each burgh in that of burgesses, and each presbytery in that of the clergy; but the aggregate number of the whole, and the share of representation possessed by each constituency, is not to be discovered.[1]

Of the ends to which the institution worked, the following memorandum was left by a contemporary recorder of events: "These sixteen thus chosen were constitute as delegates for the rest, who were to treat with the Council thereafter in name of the rest, and to reside constantly where the Council sat. These delegates thus constitute were appointed to give intelligence to all quarters of the kingdom to their associates of all that passed betwixt the king, the Council, and them; to correspond with the rest, and to receive intelligence from them; and to call such of them, with the mind of the rest, as they thought expedient. Further, these delegates, after a certain time, were to be freed of that charge; and being relieved, others to be put in their places to succeed to them, and so forwarded by turns. It was they who for some time afterward were known under the name of the TABLES, or more commonly the GREEN TABLES."[2] It was easy for a committee of sixteen at the utmost to conduct their business in an orderly shape; and as to the larger assemblages, arrangement was made, described

[1] See Baillie's Letters, i. 40.

[2] Gordon's Scots Affairs, i. 28.

in as neat a digest of the tactic of a public assembly as one will find anywhere :—

"For keeping of order it was appointed that we shall continually choose one of our number to be president; that all motions shall be first proposed and tabled before any be handled; that no motion shall be proposed by any, nor answer given to any motion, without the proposer and answerer obtain leave of the president—and that to eschew the speaking of many at once."[1] Both the structure and the functions of the institution were altered from time to time. It is sufficient here to remember that it was a permanent institution until it was superseded by the meeting of the Estates. The supplicants were fortunate in their successive delegates. How thoroughly they were masters of political business the coming narrative will show. When once fairly installed in office, their constituents left them to their work in complete confidence. The narrator just cited says: "This being done, the multitude returned every one to their own homes, ready to return upon the first call of their new representative which they had established in their place."[2]

[1] Rothes's Relation, 35. [2] Ibid.

CHAPTER LXX.

The Covenant.

THE IMPATIENT SUPPLICANTS—THEIR LOYALTY TO THE KING AND QUARREL WITH THE COUNCIL — QUESTION OF THE BISHOPS IN THE COUNCIL—THE PROTESTATION—CONSTITUTIONAL INFLUENCE ATTRIBUTED TO THAT PROCESS—PROCLAMATIONS AND PROTESTATIONS—THE SCENE AT STIRLING—THE RACE BETWEEN PROCLAIMERS AND PROTESTERS — THE COVENANT—ITS DESIGN AND COMMENCEMENT—GREYFRIARS' CHURCHYARD—INFLUENCES FOR ITS PROPAGATION—HAMILTON AS HIGH COMMISSIONER — SYMPATHIES WITH THE ENGLISH OPPOSITION—QUESTION OF SECRET INTERCOURSE—THE ASSURANCE, AND ITS FATE—THE POLICY OF THE COURT—LAUD —GENERAL STATE OF SCOTLAND—POWER OF THE NORTH—THE GORDON INFLUENCE—METHOD OF FEUDAL AGGRANDISEMENT—THE GORDONS AND CRICHTONS—TRAGEDY OF THE BURNING OF FRENDRAUGHT—INFLUENCE ON THE DISPOSAL OF PARTY FORCES.

I HAVE thought it right to indicate with a cautious minuteness, which may be counted tedious, such traces as appeared to reveal whatever inner agency—social, political, or religious—may account for the events occurring up to this point. The unconspicuous and silent growth of the powers destined to come into contest in great convulsions are the most important, yet the least obtainable, portion of the history of any notable epoch in the history of a large community

—and the community involved in the Scottish movements of the day was a large one, for it was the whole of the British empire. The forces that were to come in conflict may now be considered as embodied against each other, and coming forth in the face of day with all the world a witness of their contest. Hereafter, then, the same minuteness of detail may not be necessary. From the preparations behind the scenes we pass to the front of the historical stage, and see the events of the drama following each other in rapid succession, and with a visible chain of connection needing little explanation.

As Edinburgh was no longer to be the seat of Government, the Council met at Linlithgow early in December. Thence, by instruction from the king, a proclamation was issued. It was still in the tone of offended royalty and stern rebuke, intimating that the riotous conduct of his subjects had influenced him to postpone the gracious answer he might have made to his subjects' supplications. He would in the mean time, however, appease their vain terrors by a solemn assurance of his abhorrence of Popery.[1] This did not satisfy the supplicants, and they speedily showed that nothing would satisfy them short of a distinct revocation of all the offensive steps taken by the Crown. The Council adjourned to Dalkeith, and thither the supplicants carried the war of words. They not only poured in additional supplications, but they were enabled to vary the mode of attack by putting their demands into a new form, suggested by the ingenuity of their lawyers. It was called a Protestation, and sharpened the tone of the demand by imparting to it a slight but

[1] Rushworth, ii. 408.

distinct tone of menace. It was an official and formal assertion, that if their humble supplications were neglected or repelled, those to whom they have appealed in vain must be responsible for the consequences that may follow. They went farther still. The "Tables or commissioners" insisted, as a representative body, in orally debating the whole matter at the council-board. The scene was rendered grotesque by the irresistible pertinacity of the commissioners, and the vain efforts of the Council to shake them off. When they presented themselves—twelve out of the sixteen—the clerk of the Council, Primrose, came forth to receive their papers or "bill." They refused to part with it, "because they were there to present it themselves, and had something to speak for farther clearing of their minds. The Council sent out their clerk again, and desired the noblemen to present their bill, the barons theirs, and so forth every one of them severally. This the commissioners refused, because they were directed to present one for all. The clerk was sent forth the third time, and desired that seven or eight of them might come in and present their bill without distinction of what Estate they were. They answered they were already few enough, being but twelve, and were appointed by the commissioners who represented the body of the supplicants of every Estate." The Council desired to check this assumption of representative power, and sent some of their members to rebuke the commissioners. But the commissioners seem to have had the better of their opponents in a debate at the door of the council-room. The councillors who had come forth offered to receive the document which the commissioners had brought with them; but this "was

refused, because they had orders to present it to the Council, and not to the councillors, and had something to speak for farther declaring of their minds which required a judicial representing of it."

Certain members of the Council endeavoured, in personal conference with the commissioners, to get the tone of their appeal softened, but in vain. The commissioners had no powers to depart from their instructions. We are then told how "the Lords of Council raise abruptly, and departed by another door than where the commissioners were waiting." To obviate such an evasion at the next meeting of Council, the representatives of the supplicants blockaded both the doors.[1]

It was part of the political creed of the supplicants that the bishops were not lawful members of the Council. Presuming even that they could legally sit at the council-board, they were specially disqualified from dealing with the case of the supplicants. By a time-honoured rule of the law of Scotland, if a judge has any personal interest in a case coming into the court to which he belongs, any litigant in the case may disown his jurisdiction by a "declinator." The supplicants maintained that the bishops were parties to their suit before the Council—guilty parties, as the prime movers of all the mischief that had been wrought. Among the multifarious documents offered by them to the Council was a Declinator, drawn up in very bitter terms, denouncing the right of the bishops to act as members of Council in the question of the supplications. In permanent antithesis to this opinion, the king always began his messages to the Council

[1] Rothes's Relation, 37, 38.

with the style "Right Reverend," counting the Archbishop of St Andrews as the head of that body. This dispute brought a separate element of complexity into the curious game between the Council and the commissioners from the Tables. In the end, to dispense with the presence of the bishops was deemed a wiser course than by their presence to provoke the commissioners to table their declinator. And we are told that the Bishop of the Isles, being the only one present when they appeared, was induced to withdraw. At the audience which they at last obtained, their leader for the time, Lord Loudon, uttered a long oration, recapitulating all the grievances that had become the objects of dispute; and the Council undertook to lay the whole matter before the king.

Throughout the materials for this narrative there is an element of uncertainty about the conduct and intentions of the lay members of the Council. There were many conferences aside between members of the Council and representatives of the Tables. The tone of the councillors was rather in the direction of caution than of defiance or rebuke. Lord Roxburgh exhorted them not to provoke the king to extremities; and as he "did flee out in many great oaths," Henderson the clergyman "did reprove him for his oft swearing."[1] Traquair, the treasurer, gave assurance that in the end the Service-book would be withdrawn, and all concerned in opposition to it should receive indemnity. But in the mean time there must be a form of submission to the king—and he sketched a scene of Oriental humiliation: "That he would have the keys of the town and charter of their liberties delivered to

[1] Rothes's Relation, 44.

the king, and six commissioners from the town publicly prostrate themselves before the king as he was going to the chapel at Whitehall two several days; and upon the third day, upon the Scots councillors that were at Court, their prostrating themselves with the commissioners before the king, the king would redeliver their keys and charter of their liberties, and pardon them."[1] They were so far from any such penitent intention, that they declared all their acts to be justified by the legal opinion of eminent counsel, who, on a case laid before them, had advised them that they might bring actions at law against the authors of the innovations, and against any persons who should venture to charge the impugners of these innovations with sedition.[2] Some tedious remonstrances to induce them to modify the terms of their documents were entirely wasted. They felt their strength, and were determined to take their own way to the utmost. As it was clear that a great crisis was at hand, Traquair, the treasurer, went up to London to discuss with the king the policy to be adopted.

So matters stood in the beginning of 1638. January had passed, and February was passing. The supplicants became impatient, saying they had now waited more than half a year for an answer to their reasonable appeal. Traquair had returned, but kept an obdurate silence. At length it came out that a proclamation was to be made at Stirling, where the Council would assemble. The tenor of this proclamation was well known to the supplicants. It was too nearly in the tone of the advice which Traquair had given. The king exonerated the bishops, and took the burden of

[1] Rothes's Relation, 43, 44. [2] Ibid., 43, 59.

all on himself. He called on his loyal subjects to comply with his orders about the Service-book. They would be pardoned for the past; but if they continued to offend him by meetings or other undutiful acts, they should be punished as traitors. The commissioners of the Tables prepared a counter-protestation, and summoned their constituents to assemble in force at Stirling, "thinking that, being together, they were more able to give the Council information and satisfaction than by so few, who might be dazzled with difficulty of new propositions and acts not expected."[1] In this protestation a new vein of sarcastic remonstrance was struck, to meet a new aspect of the question—the king's assumption of all responsibility. It was maintained that in this the Council libelled his gracious majesty; yet so well did the protesters know the whole to be the king's own doing as to be fed for some time with the hope that the Council would not pass it. This was so nearly fulfilled, that although the Council did pass it, there were but few members present—not enough, it was said, to make a regulation quorum. The representatives of the Tables refined upon the charge of libelling the king. To say that the king was the author of the grievances of Scotland, was to put them—his loyal subjects and only honest counsellors—in the false position of acting in enmity to their king.

We have here — perhaps in a more peculiar and effective shape than ever—the influence upon State events in Scotland of those legal forms which serve for the enforcement of private rights. Of the "protestation" or protest, the best known observance in

[1] Rothes's Relation, 59.

the present day is the protesting of a bill of exchange for failure to accept or failure to pay. Even so applied, it is a formality of ancient descent. It intimates to the world, by a solemn and ancient form, that though the bill is not an obligation which can be enforced by the common-law authority, like a bond under seal, but is a mere counting-house slip of paper between merchant and merchant, yet the holder of it takes solemn protest at the hands of a notary-public of the empire that he holds it a good and veritable obligation, which he intends to enforce by whatever means he may find available to him.

In the absence of anything in Scotland like prerogative procedure in England, the influence expected of the protestations against the royal proclamations seems to have been something like this. If we let the commands contained in the royal proclamation pass in silence, we will be bound to obey them, as admitting that they are within the power of the Crown, and they will be a precedent for the future. But if proclamation be made to all the world that we count them nought, we are not compromised. The Crown must prove by old precedent that it has the power to issue and enforce such proclamations—the whole matter lies over for inquiry and discussion. The practice of the times furnished an example in point. When a litigant in the Court of Session considered that he had been unjustly treated, he "took protestation for remeid of law," and applied to Parliament for a remedy. Like such a person, the supplicants took their protestation in the hands of a notary-public, whose intervention brought the affair within the region of diplomacy, since he was a traditional officer of the empire.

The supplicants themselves had full faith in the efficiency of their protestations. We shall see presently the efforts they made to get them punctually thrown in as the counterparts of the proclamations. In communicating afterwards with their constituents, they exulted, after the fashion of successful litigants, over the successful tendering of the protestations. The document in which this is set forth, being an admonition or letter of information circulated from headquarters throughout their own body, is instructive, as showing that in confidential communing among each other, so far as concerns the objects deemed vital in their eyes, they spoke exactly in the terms in which they assailed the Government. We see in this, as in their more solemn annunciations, that they determine to stand by the religion and "the laws and liberties" of their country; that their enmity is against the prelatical members only of the Council; and that they hold the king, as deceived by the prelates, to be personally guiltless of the whole, and worthy of all loyal reverence.[1]

[1] "The noblemen, commissioners of shires, and barons and others convened for this common cause, which concerns the preservation of true religion and the laws and liberties of this kingdom, understanding how the prelates, by misinformation of the king's majesty, has, after their accustomed manner, procured a proclamation to be made for establishing the Service-book, and discharging all meetings under the pain of treason, have, in God's providence, legally obviate the publication and ratification thereof, by timeous protestations and declinature of the common adversaries, the bishops, at the cross of Stirling, the council-table there, the cross of Linlithgow, and the cross of Edinburgh, and are resolved to do the like at other places as need shall be; wherethrough, in the judgment of such as understand best, their proclamations and proceedings is made of no legal force, to hinder the absolute necessar meetings of all that have interest in this common cause and necessary exigency." This was sent to the selectors of the sixteen who

The document here referred to, called "the protestation," was among the most critical and serious of the Scots papers of its time, though its fame has been obscured by that of its companion, the Covenant. The protestation, with due homage to the momentous character of such a document, was carefully drawn by some of the ablest lawyers of the day working together. That it was no empty declamation, but a weighty State paper, was shown by the Council, who endeavoured to evade the reading of it by stealing a march on its authors. It happened that early on the morning of the 20th of February a footman of Traquair's stepped into a tavern for a cup of ale,

formed the Tables, to be circulated by each in his own district, "so as none may be overpast."—Rothes's Relation, 68.

Afterwards, when the Duke of Hamilton came as commissioner, and begged that he might be spared the infliction of "a protestation," they said: "A protestation is the most ordinary, humble, and legal way to obviate any prejudice may redound to any legal act, and of preserving our right, permitted to the meanest subjects, in the highest courts of Assembly or Parliament, whensoever they are not fully heard, or, being heard, are grieved by any iniquity in the sentence—which is grounded on the law of nature and nations; that it is the perpetual custom of this kingdom, even upon this reason, to protest, as it were, in favour of all persons' interest and not heard by any express act. Salvo jure cojuslibet, even against all Acts of Parliament." And further, the protestation "is a dutiful forewarning the king and his commissioner of our desires and the lawful remedies thereof, the benefits of granting them and evil consequences of refusing them; is a sensible exoneration of us before foreign nations; is a legal introduction of our lawful defences cum moderamine inculpatæ tutelæ; and the most necessar preface to our subsequent declarations in case of extreme necessity."—Ibid., 119.

In this work (p. 83 *et seq.*) will be found the documents successively issued at this juncture. They are long, with frequent repetition, and cannot be commended to the general reader for liveliness, sublimity, or any other quality likely to engross his attention. Fierce as was the excitement out of which they sprang, this would not be visible in them, nor would anything else of an interesting character, to one not trained in some measure to the forms and phraseology of the Parliament House of Edinburgh.

and was heard to remark among other matters that his master had just left Edinburgh. Lord Lindsay, who was living in the tavern, heard what was said, and taking immediate suspicion, he sought out Lord Home, and the two took horse, galloped towards Stirling, and overtook Traquair, the treasurer.[1] Finding that the protestation could not be evaded, the Council were in no haste to issue the proclamation; and before it was uttered some seven or eight hundred of the supplicants had assembled to hear it. The proclamation was read by a herald—one of the class of officers who of old were not deemed the servants of provincial governments, but were franked by the Emperor as his representatives in all countries. The protestation was then read with solemn "taking of instruments" by a notary, who also was by courtesy and in name at least an officer of "the Holy Roman Empire." When the Council went to Linlithgow to repeat the proclamation, there were the protesters before them. Passing on to Edinburgh, where it was to be made with the greatest amount of solemnity, the Privy Council, when they went to mount the cross, found a scaffolding opposite to it, on which were ranged their enemies, surrounded by a mob of supplicants. The proclamation was received "with jeering and laughing of the more unmannerly sort." When it was finished, the crowd did not permit the councillors and the heralds to depart. They had to stay and hear the protestation, "as if one authority had claimed equal audience to both."[2] Wherever the proclamation was uttered, there the re-

[1] Rothes's Relation, 63.

[2] Gordon's Scots Affairs, ii. 33. This contemporary chronicler gives us this anecdote current in his day: "It is reported that at one of these protestations at Edinburgh cross, Montrose standing up upon a

morseless protesters were in readiness. In all towns but one they had the sympathy of the people. In Aberdeen alone the supplicants were in the minority, yet here they uttered their protestation.[1]

In every step taken by them the commissioners from the Tables showed themselves to be thorough men of business, and adepts in statecraft, both in its principles and details. Among many able practical lawyers who assisted them, Sir Thomas Hope was supreme in the civil department, and Archibald Johnston of Warriston in the ecclesiastical. It is to Johnston that the world generally has attributed the project of renewing the Covenant.

This was a master-stroke of policy. The Covenant had been drawn under a reign of terror, when the Protestants of Scotland really dreaded the restoration of the old Church, with more than its old powers for avenging itself on insolent heretics. The league was terrible in France. Philip of Spain was preparing the great blow, which fell harmless because too late. The north of England was Popish; and Queen Mary was alive, ever communicating with Papists in Britain or the Continent. The haughty lords of Huntly kept a Papal court in the north, and there were many Popish lords in the western border. Thus stimulated by terror and hatred, the Covenant was a marvel of bitter eloquence. In now renewing it, the supplicants had

puncheon that stood on the scaffold, the Earl of Rothes, in jest, said to him,—'James,' says he, 'you will not be at rest till you be lifted up there above the rest in three fathom of a rope.' This was afterwards accomplished in earnest in that same place. Some say that the same supports of the scaffold were made use of at Montrose's execution."—Ibid.

[1] Gordon's Scots Affairs, i. 34.

all the advantage of its denunciatory rhetoric, while they stood free of all charge of malignant exaggeration. It could not be said they did it—they were but repeating in the hour of their own difficulty and peril what the nation had uttered in a previous time of peril. We have already seen how fiercely and potently the denunciatory clauses of this document had been drawn.[1] A postscript was appended to the old Covenant to apply it to existing conditions. The late innovations were clearly in the direction of that Popery which had been abjured by the subscribers' ancestors, and were justly amenable to the same denunciations. Hence, stripping their Protestant faith, as set forth in the authorised confessions, of the innovations of recent times, they conclude: "Therefore, from the knowledge and conscience of our duty to God, to our king and country, without any worldly respect or inducement so far as human infirmity will suffer, wishing a farther measure of the grace of God for this effect; we promise and swear by the great name of the Lord our God to continue in the profession and obedience of the said religion; and that we shall defend the same, and resist all those contrary errors and corruptions, according to our vocation, and to the utmost of that power which God hath put in our hands, all the days of our life." The new additions made to the old confession were powerful in professions of loyalty to the king, as if they were more needed than they had been on the previous occasion. The adherents go on: "With the same heart we declare before God and men, that we have no intention nor desire to attempt anything that may

[1] See vol. v. chap. lviii.

turn to the dishonour of God or to the diminution of the king's grace and authority. But, on the contrary, we promise and swear that we shall to the utmost of our power, with our means and lives, stand to the defence of our dread sovereign the king's majesty, his person and authority, in the defence and preservation of the foresaid true religion, liberties, and laws of the kingdom; as also to the mutual defence and assistance, every one of us of another, in the same cause of maintaining the true religion and his majesty's authority with our best counsel and bodies, means and whole power, against all sorts of persons whatsoever; so that whatsoever shall be done to the least of us for that cause, shall be taken as done to us all in general, and to every one of us in particular." And in a subsequent announcement that they were determined to hold by the Covenant, they say: "We were, and still are, so far from any thought of withdrawing ourselves from our dutiful subjection and obedience to his majesty's Government, which by the descent and under the reign of 107 kings is most cheerfully acknowledged by us and our predecessors, that we neither had nor have any intention or desire to attempt anything that may turn to the dishonour of God or diminution of the king's greatness or authority; but, on the contrary, we acknowledge our quietness, stability, and happiness to depend upon the safety of the king's majesty, as on God's vicegerent set over us for maintenance of religion and administration of justice."[1]

When it was put to them that this determination to stand by each other through all things was scarcely harmonious with their professions of loyalty, they

[1] Rothes's Relation, 123.

said: "The same was cleared by the plainness of the words of the Covenant itself, and by the sincerity of their purpose, who only intended, first, the defence of the religion presently professed; next, of his majesty's person and authority; and, lastly, to defend each other in the defence of the said religion and of his majesty's person and authority."[1] If there was a touch of demure sarcasm in this definition, there was an element of sincerity too.

In the Scottish section, indeed, of the great contest, there is scarce a whisper about touching the throne, though the actors were determined that the king should do as they willed. As an onlooker put it, "the sense of all was, that they would continue obedient subjects, so that the king would part with his sovereignty—which was in effect that they would obey if he would suffer them to command."[2] Though the doctrines of resistance had their chief fountain in Scotland and in the writings of Buchanan, yet they did not take in that country the republican form to which they tended in England. Yet the Scots form was perhaps still harder on crowned heads. The sovereign was eminently responsible to his people. If he were virtuous and beneficent, he would be blessed with prosperity and happiness; but if he were an evil-liver or a tyrant, he would be thwarted, harassed—perhaps put to death. And yet a sovereign was in their eyes as much a necessity to a State as a general to an army or a commander to a ship.

For all their vehement announcements of loyalty, there was a misgiving that this virtue would not be absolutely conceded to them; and in their new clauses

[1] Rothes's Relation, 172.

[2] Gordon's Scots Affairs, i. 79.

they say: "Neither do we fear the foul aspersions of rebellion, combination, or what else our adversaries, from their craft and malice, would put on us, seeing that what we do is so well warranted, and ariseth from an unfeigned desire to maintain the true worship of God, the majesty of our king, and the peace of the kingdom, for the common happiness of ourselves and our posterity."

The document thus renewed, with some additions, had for its own time and purpose only been signed by a select group of influential people. Its promoters on this occasion had views of a wider and more popular kind—they determined to attempt at least to draw to it the adherence of the adult male community of Scotland at large. It was signed in a public manner in Edinburgh with tumultuous enthusiasm, and, as we are told, "with such mutual content and joy as those who having long before been outlaws and rebels are admitted again in covenant with God."

The stage on which this scene was enacted was the Greyfriars' Churchyard. The selection showed a sound taste for the picturesque. The graveyard in which their ancestors have been laid from time immemorial stirs the hearts of men, the more so if it be that final home to which they are themselves hastening. The old Gothic church of the Friary was then existing; and landscape-art in Edinburgh has by repeated efforts established the opinion, that from that spot we have the grandest view of the precipices of the castle and the national fortress crowning them. It seemed a homage to that elevating influence of grand external conditions which the actors in the scene were so vehemently repudiating.

Steps were taken to propagate adherence over the rest of the country. It is noticed that several existing copies of the Covenant of 1638 bear the same names. In fact, according to a practice well known in later times, the eminent adherents of the cause — those whose names were likely to catch others — signed several Covenant sheets, which were dispersed over the country, so that obscure people in remote districts added their names in the assurance that they were in good company.

We cannot decide with exact precision on the numerical progress of creeds and opinions; but from the general tone of the literature and events of the day, it would be legitimate to conclude that at this time the Presbyterian standards had made more progress in Scotland during three years than they had made in the previous seventy. The national religion had got for its base that old spirit of national independence which had ever resented so fiercely all interference from without. An excited wildness took possession of the sedate Scottish character, and strange things were done. In Edinburgh, Fife, and some part of the west country, the Covenant superseded all other interests public and private. A well-educated country clergyman of the north, who looked at the scene with divided interest, gives us what follows:—

"Gentlemen and noblemen carried copies about in their portmanteaus or pockets, requiring subscriptions thereunto, and using their utmost endeavours with their friends in private for to subscribe. It was subscribed publicly in churches, ministers exhorting their people thereunto. It was also subscribed and sworn privately. All had power to take the oath, and were

licensed and welcome to come in; and any that pleased had power and licence for to carry the Covenant about with him, and give the oath to such as were willing to subscribe and swear. And such was the zeal of many subscribers, that for a while many subscribed with tears on their cheeks; and it is constantly reported that some did draw their own blood, and used it in place of ink to underwrite their names. Such ministers as spoke most of it were heard so passionately and with such frequency that churches could not contain their hearers in cities, some of the devouter sex, as if they had keeped vigils, keeping their seats from Friday to Sunday to get the communion given them sitting; some sitting alway before such sermons in the churches for fear of losing a room or place of hearing, or at the least some of their handmaids sitting constantly there all night till their mistresses came to take up their place and to relieve them." The narrator, conscious of the strangeness of his tale, makes the remark,—"These things will scarce be believed; but I relate them upon the credit of such as knew this to be the truth."[1]

This is not all; but the rest of his story is too loathsome for repetition. We can all too readily realise what a crowd of human creatures become if they betake themselves to a lair unprovided for the abode of civilised beings. At length was reached the much-sought antithesis to the old worship, with its pomp and state, its triumphs of decorative art, and its perfumed incense.

At this time the persons heretofore spoken of by contemporary writers as "suppliants" receive the far more renowned name of "Covenanters."

[1] Gordon's Scots Affairs, i. 46.

Again the dispute was suspended until the month of June. The interval was not one of idleness; but its activity showed itself rather in small fussy matters—exchanging of messages amidst blunderings and delays—than in historical events. The one significant and important sign of the times was in what was not done—in the frustration of every effort to obtain from the king a distinct utterance of his views and intentions. Further, the authors of the Great Supplication sent to him had conclusive evidence that he had never seen it. They sent it up to London to be presented to the king by three chiefs among those nobles who were not Covenanters—Lennox, Huntly, and Morton. These returned it with the seal unbroken.[1] The king forbade them to deliver it to him unless it conformed with the conditions which he had laid down both as to the matter and the manner of appeals to the throne. The Tables, on the other hand, had sent instructions that the parcel should not be opened unless the king agreed to receive its contents. The holders of it were thus unable to tell him whether or not it conformed with the conditions.[2]

At length it was rumoured that a great potentate allied to the throne was to come as the Lord High Commissioner and representative of the king. The Duke of Lennox was, among the Scots nobles, the highest in rank and the nearest of kin to the king, in whose confidence and affection he held a high place. There was another, however, who stood nearer to the succession to the throne in Scotland. Both kingdoms had fallen to King James by hereditary succession;

[1] "Still stamped, and never stirred."—Rothes's Relation, 127.
[2] Ibid., 98, 127.

but Scotland came through his mother, and would go to her near collateral representative if the house of Stewart became extinct. This nearest representative was the Marquess of Hamilton, the descendant of the daughter of James II.[1] He thus was chosen to settle the vexed affairs of Scotland. The selection seemed judicious, looking to the irritable condition of Scotland. Some, however, maintained that the very condition which seemed to recommend it made it a mistake. Hamilton had an interest in any special quarrel between Scotland and the house of Stewart which might end in the separation of the united crowns; and people thought they saw the influence of this interest in the events which have presently to be told. He came, in the words of one of the bishops, "as commissioner, with power to settle all."[2] As the day of his arrival approached, the leaders of the Covenanting party busily mustered their adherents, and brought another great concourse on the streets of Edinburgh. On his way to Holyrood House by the flat sandy beach between Leith and Musselburgh, he passed between two rows of the principal Covenanters, lay and clerical. The clergy were estimated at five, by some at six, hundred—surely a large number for Scotland to send to one spot, even though it is explained that a portion of them were refugees from Ireland. A dense crowd, computed as containing twenty thousand people, gathered round. They had commissioned Livingston, "the strongest of voice and austerest in countenance,"[3] to assail him with a speech; but the commissioner managed to evade its public discharge and hear it in private.[4]

[1] See vol. iii. chap. xxix.
[2] Guthry's Memoirs, 66.
[3] Rothes's Relation, 115.
[4] Baillie's Letters, 83.

A separate incident, small itself, but giving an opening to large and formidable conclusions, had just stirred the multitude. A ship had arrived in Leith Roads with a cargo of ordnance, musketry, powder, ball, and other munitions of war. It was the ship of a private Leith merchant, but had been freighted by the Government. The Covenanters, who, as we shall have to see, were beginning to raise money, placed guards to intercept the removal of these stores to Edinburgh Castle. They were quietly conveyed by night from the ship to the Castle of Dalkeith; and in vindication of this step it was described as a mere precaution to save the stores from being seized by the Covenanters.[1] These, on their part, said that there were other suspicious doings at Dalkeith, such as the

[1] An incident connected with this vessel was an example, in a petty shape, of the prevailing national propensity to carry political points through the machinery of private litigation. It was found on inquiry that a merchant in Leith, named Patrick Wood, had acted as shipping agent in the matter. Hence "the report of Patrick Wood having a hand in that ship business did so commove people's minds that he durst not come abroad out of the house, and provoked some of his creditors to charge him for payment of many and great sums, whereby he was in danger to be broken"—that is, to be made bankrupt. In his difficulties he sought the protection of some of the leaders, and obtained it on declaring "that he would employ whatsoever he was worth in the service of the supplicants for the advancement of the common cause."—Rothes's Relation, 133.

Baillie writes to the same purport: "Wood is much detested by all for his readiness in such employment. He is called to the commissioners' table ofter than once, and strictly examined. His answers at first were somewhat proud; but at once his courage cooled when his bands began to be posted to the registers many in one day. Much he did quickly pay; the Covenant without delay he did subscribe. Many good friends did for him what they could; yet all had enough ado to keep him from the hands of the people, and hold off for a time his numerous creditors."—Letters, &c., 80. "Posting his bands" meant putting his pecuniary obligations on record, so that they might be immediately enforced against person and property.

erection of a new drawbridge. Their suspicions lay between the strengthening of Dalkeith and the removal of the military stores to the Castle of Edinburgh. To make matters sure, having now men and money at their disposal, they sent armed parties to hold the communications with the castle and stop the passage of the stores. This looked very like a blockade of a royal fortress; and Hamilton said he could not, as royal commissioner, enter a town where such a thing was done, and hold peaceful conference with those concerned in it. There was a stiff suspicious discussion on this point. The Covenanters took strong assurances from the Council—some of them personal obligations which almost amounted to the rendering of hostages—that nothing would be done while Hamilton professed to be among them for the purpose of giving them satisfaction in the matter of their supplications. It was even conceded to them, that to satisfy themselves of his fair dealing they might keep persons to hold watch around the castle, provided they were not an armed guard. "Whereupon," we are told, "order was given for breaking the public guard; and eight were appointed to stay in a house in the West Port, and two of them by turns to walk still betwixt the West Port and the West Kirk, without any other weapons than swords about, which was a way unsuspect."[1] Hamilton was angry that assurances should have been given to the Covenanters—he would rather they had been left to act on their peril; and he threatened to withdraw the assurances. He did not execute this threat; but the unarmed guard were troublesome and suspicious, and on one

[1] Rothes's Relation, 140.

occasion searched his wife's luggage, or, as it was put, "had riped my lady marquise's trunks." [1]

Perhaps as much as most people may care to read has been taken out of the supplications, protestations, and other documents of the Covenanters, which had now accumulated to an appalling mass, ever increasing. But on one point it is as well that, before going further, we take the impression of their distinct utterance. As yet no concession had been made by the king. The events now to follow are sometimes told so as to leave the impression, that ever as the king yielded point after point, the pitiless Covenanters pressed on him and demanded something more. A great deal might be taken from the documents of the day without disturbing this impression. It comes naturally to the mind of those whose notions of history are learnt from the classic fables, and who love to meet with an example of the moral announced in the story of the sibylline books. It is certain, however, that before the king announced any concession, the demands of the Covenanters were complete. They announced them with a distinct candour, which, like so many other things, shows their consciousness of their own power. Their primary demands were, the abolition of the Court of High Commission; the withdrawal and disavowal of the Book of Canons, the Book of Ordination, and the Service-book; a free Parliament; and a free General Assembly. That there might be no mistake on these points, they were stated with much fulness, some time before Hamilton's arrival, in a paper called "The least that can be asked to settle this Church and Kingdom in a solid and dur-

[1] Rothes's Relation, 163.

able Peace." It was prepared by Warriston and Henderson; and the reasons for its promulgation were: "At that time the supplicants, finding both bishops and statesmen incline to urge a discharge of the Service-book, Book of Canons, and tempering the High Commission as it was in King James's time, did think it necessar to set out something for informing the people in the nature of our desires, that so they, being found so necessary, might not be deceived, nor taken with the suggestions of such as thought the discharge of the books and tempering of the High Commission sufficient."[1] They did not conceal their expectation that the Parliament and Assembly, when they set to work, would repeal the Articles of Perth, and other offensive measures of their own enacting — perhaps would abolish Episcopacy. Hamilton and other friends of the king dealt with the leaders of the Covenanters to guarantee certain limits which the Parliament and Assembly should not pass; but these answered that it was impossible for private persons to dictate what a supreme legislature would do or abstain from—if they promised any such thing, they would undertake what they could not perform.[2] Here, certainly, the Covenanters had the better argument. We get glimpses of curious little devices suggested for outweighing the Covenanting interest in a possible Parliament or Assembly. They had on previous occasions been unable to make majorities north of the Forth; why not, on this occasion, try Aberdeen, the Cavalier city, where Huntly's influence prevailed? The reason of the suggestion, in Covenanting view, was, "because the ministers and professors of the university there are un-

[1] Rothes's Relation, 96. [2] Ibid., 167.

sound, and the people thereabouts for the most part more averse to our Covenant than any in Scotland." "But finding the supplicants would come there in great numbers, as to a place suspected, the commissioner changed his resolution."[1]

After Hamilton's arrival as commissioner, there was a long diplomatic contest, tedious, and in some measure monotonous, relieved by a few spirited passages-at-arms. The commissioner opened the eyes of astonishment with a demand for "the rescinding of the whole Covenant" as the only way to make peace with the king. Those he addressed "showed that was utterly impossible, and cleered it would be gross perjury in them, and so could not but be grievous to his majesty to have such a pack of perjured subjects; and said they wished his majesty's subjects in England and Ireland had subscribed the like Covenant—it would be much to his majesty's advantage, and a greater type of their fidelity."[2] It was suggested, as a sort of retort against the new demand, that it would be more suitable for the king himself to sign the Covenant.

The commissioner extolled the king,—his domestic virtues—his conscientious sense of justice—his love of his subjects, and especially those of his ancient kingdom—and, finally, his devoutness. On this last he entered on particulars with results very unfortunate, for what he called piety was denounced as superstition and a dallying with the Scarlet Lady—Master Alexander Henderson proved it so infallibly.[3]

The following little passage in these discussions

[1] Narrative appended to Rothes's Relation, 220.
[2] Rothes's Relation, 122. [3] Ibid., 144.

has some interest. Hamilton "besought that they might be temperate, and not crave those things which the king could not in honour grant. He believed he had granted that which might justly give satisfaction; which accepted, might establish religion, and make us the most glorious nation under heaven for such an act. But if we should be so foolish, because we had now gotten together a number of our religion, as to think to give laws to the king, we should find ourselves deceived. For where now our cause was pitied, as people who suffered, and who were seeking but to be repaired, if we should require the king to do that which is against standing laws, and, as it were, force him to do against his mind, and to the prejudice of his honour, our dealing will be made known to the world; and where England now pitieth us, thinking we get wrong, as he believeth few or none would rise with the king if he were to come and force us;—so, if they shall understand what injury he receiveth, none would refuse to accompany him, and he would come in person with forty thousand out of England, besides his forces by sea and out of Ireland, to force us to our duty; so should we be the most miserable nation in the world."[1]

A significant feature in these persuasives is the reference to the sympathy of the English with the stand taken in Scotland. Those to whom he appealed knew the extent of this sympathy too well to give heed to the supposition of its sudden reversal, and treated the allusion to an invading army of forty thousand men as a chimera.

At that time the Covenanters had able spies at

[1] Rothes's Relation, 136, 137.

Court. They knew much of what passed at secret conferences between the king and his immediate advisers, and were, among other things, aware of the instructions which Hamilton had brought. On this point a contemporary affords a revelation which has been accepted in the present day as sound. The informers of the Covenanters were four Scotsmen, grooms of the bedchamber, and chief among these, William Murray, afterwards Lord Dysart.[1] "These grooms," we are told, "made bold with the king's pockets at night, and took out such letters as he had received; if of importance, they copied them out, putting up the principals into the king's pockets, and despatching the copies according to the present exigent. This was so well known, that on a time, Archbishop Laud, writing to the king, spared not to add to the letter, being of consequence, 'I beseech you, sir, trust not your own pockets with this,' alluding to his bedchamber grooms their practice." [2]

Surely the obtaining State secrets by picking a king's pocket is, like other devices of a rapid and palpable character, limited to theatrical performances. He who tells the story was a country clergyman, sagacious and accurate as to the doings of his brethren and their supporters in Scotland, but probably not well acquainted with the interior mechanism of a regal court. However they got their information, the Covenanters knew that Hamilton had brought a proclamation, and that its tone was so unwelcome that they would require to meet it with that response of

[1] The same who, according to Clarendon, gave warning of the king's intention to seize "the five members" in the House of Commons.

[2] Gordon's Scots Affairs, i. 50.

mysterious power, a "protestation." Whether it was that there was some imperfection in their knowledge of the tenor of the proclamation, or that in reality there were two forms of proclamation, the one or the other to be used as circumstances or local counsel might determine, there were two alternate forms of protestation, the one or the other to be uttered according to the tenor of the proclamation. These forms, carefully prepared by the trusty and skilful Warriston, were printed and sent by the Tables to their agents in all places where there was a chance of the proclamation being issued, so that it might at once be met. Hamilton, too, saw arising in front of the cross the stage or wooden platform whence his outnumbering enemies were to assail him. He was eager and anxious either to silence this engine of political contest or get beyond its range. All threats or persuasions to drop it were utterly in vain—the more earnestly he pressed them, the more did the Covenanters feel the importance of uttering their protestation. If we could conceive all the suspicions of Baillie, who saw all, to be well warranted, we must believe that the commissioner dealt with the Covenanters rather like a nimble debtor evading his creditors than a statesman. When those who watched the cross saw it swept for the reception of the usual heraldic hangings, "all our people convenes — some thousand gentlemen with their swords loose on their arms—about the cross." At sight of this the commissioner ordered to horse; and in the belief that he was to escape and issue the proclamation in some place where no protesters would face him, a body of the Covenanting gentlemen took horse also, ready to give chase. Then it was reported that in his desperation

the commissioner had set off to Court, and nothing would be done till he received fresh instructions, when suddenly he appeared at the cross at mid-day, and the proclamation was read. This was not done so nimbly but that a mob gathered; and Warriston, with a small group of supporters, was on the scaffold to read one of his protestations instantly on the reading of the proclamation.[1]

This renowned proclamation is a lamentable type of uncertain counsels; and subsequent events bring it forward on historical record as an instance of the peril of such uncertainty. The king might have taken either of two courses. He might have demanded obedience, and threatened to enforce it by an army, taking steps at the same time to execute his threat. So sudden an alternative, by which those who were speaking devoted loyalty would have to fight against their king, would have told off at the beginning those whose devotion to the Crown was stronger than their devotion to the Covenant. The other, and of course the far safer course, was to meet the demands of his Scottish subjects with a hearty acquiescence. Very readily they would have admitted the excuse of misinformation and evil counsel; or if he had disdained the shelter of such a plea, he could have thrown the whole future on a Parliament and General Assembly summoned immediately, and left free each to its own action. But his course was neither defiance nor acquiescence, but a combination of the evil elements of both. He rates his subjects for their disobedience and turbulence; yet, "grieving to see them run themselves so headlong into ruin, are graciously pleased to try if by a fair way

[1] Baillie's Letters, 85, 91.

we can reclaim them from their faults, rather than to let them perish in the same." He again abjures Popery: "We neither were, are, or by the grace of God ever shall be, stained with Popish superstition; but, by the contrary, are resolved to maintain the true Protestant religion already professed within this our ancient kingdom." This was, no doubt, said in judicious harmony with the popular spirit in Scotland, and would have accorded well as a preamble to a frank and full revocation of all the innovations. On this, however—the practical question at issue—the assurance was of this curious tenor: "We do hereby assure all men that we will neither now nor hereafter press the practice of the foresaid canons and Service-book, nor anything of that nature, but in such a fair and legal way as shall satisfy all our loving subjects that we neither intend innovation on religion or laws."

It is scarcely possible to believe that those who drew the papers containing these terms hoped or intended that they should satisfy a sagacious and resolute people. They are like those ambiguous responses of the oracles, which had the juggle in their very face apparent to all men who read them with sense. The words contain a tacit admission that the Service-book and canons had been pressed in an unfair and illegal way; but now they were to be pressed in a "fair and legal way." The result was the same—still they were to be pressed. It was clear that this left the question where it stood. And though the proclamation announced the calling of "a free Assembly and Parliament," that was to be done "with our best conveniency," which was interpreted as an indefinite postponement. The protestation, which is several

times as long as the proclamation, did not miss these points. In other respects it is one of a long series of documents, tiresome from repetition and monotony. Reiteration, in fact, had become the policy of the party. There is something powerful in a demand ever repeated in the same terms, with no variation in matter and little in manner. Perhaps the business-like precision and success of the movements of the Covenanters, and the aspect of blunder and feebleness in all the documents coming from the throne, may be both explained by Bishop Burnet's account of the leading lawyers of the time—some of them the sworn champions of the Covenant, and others the reluctant, if not treacherous, servants of the Crown: "Many lawyers were of the Covenanters' side, and chiefly the king's advocate, Sir Thomas Hope, which was one of the greatest troubles the marquis met with; for he being a stranger to the Scottish law—in which the other was skilled as much as any was—was often at a great loss, for he durst advise with him in nothing, and often the king's advocate alleged law at the council-board against what he was pressing. Of this he complained frequently to the king, and intended to have discharged him the Council; but he durst scarce adventure on it, lest others should have removed with him. He tried what he could do to get some lawyers to declare the Covenant to be against law; but that was not to be done. Sir Lewis Stewart promised private assistance, but said that if he appeared in public in that matter he was ruined. Sir Thomas Nicholson, who was the only man fit to be set up against the king's advocate, though he had never all his life before pretended to a nicety in these

matters, yet began now to allege scruples of conscience." [1]

Before this affair of the proclamation was over, the commissioner found that even within the council-chamber itself the royal authority was trembling. Some of the Council cavilled at the manner in which the proclamation had passed their board. Some of the impugners had been absent; but others had assented, and now desired that the matter be reconsidered, with a view to revoking their assent. They threatened to show their opinion in emphatic shape by taking the Covenant. We are told that "the marquis, having spoken with the whole Council apart, found that three

[1] House of Hamilton, 53. Some revelations of the policy of the king's advisers in Scotland might have been expected from the ample Diary of Sir Thomas Hope during these eventful times. He was one of the very few men uniting the position of a statesman, with a zeal, to all appearance honest, in the religious aspirations of the Covenanters. His heavy Diary is a puzzle, and one wonders why literature has been burdened with it, unless it might be to show how men devoted to heavy affairs of business and politics can find it pleasant to abstract themselves from the serious business of life to record its dreariest trifles. Instead of the record of a statesman, or a man of any other section of the world, his daily entries are like those of a peculiar officer known in some great establishments—an officer who has to keep a record of all the messages and letters coming into or going out of the department he belongs to—one of the kind supposed to do his ministry all the better that he has a sort of preternatural capacity to preserve in himself utter ignorance of the affairs to which the communications passing through his hands bear reference. The entries on "14th Januar 1637," for instance, begin: "Delyverit to the Lord Alexander ane pacquet to my Lord Stirling, quhairin to himself one, with another bearing the articles whilk I intend to send to his majesty, having his approbation. Item: In his a pacquet to my son Mr Alexander, quhairin to himself from me and my two sons and from Mary. Item: Letters to be sent to Mr James from me and his two brethren and Mary." Of the great first act of the war—the outbreak in St Giles's—the following is considered a sufficient commemoration: "23d July 1637, Sunday.—This day the Service-book begoud to be read within the kirks of Edinburgh, and was interruptit be the women."—P. 64.

'parts of four would immediately fall off if he gave them not satisfaction; and judging that such a visible breach of the Council might ruin the king's affairs, therefore, since the Act was not registered but only subscribed, he thought the course that had least danger in it was to tear it before them—by this means he got that storm calmed."[1]

When Hamilton returned to Court, the king had a grave discussion on the condition of Scotland with him and "my Lord of Canterbury;" and the end was the devising of a plan of compromise, with the particulars of which, as they were never ground of public action, it is not necessary to burden this narrative. Its chief point of policy was to substitute the original Confession of Faith, adopted by the Parliament of 1567, for the negative or repudiative Confession of later times, which was the foundation of the Covenant.[2] The bishops were to be saved by giving way to "as few restrictions to their power" as might be. The commissioner was to "labour that the Five Articles of Perth be held as indifferent," and perform several other feats which were to leave no distinct or tangible mark behind them.

If the royal mind had been, and was again designed to be, obscurely or illogically uttered to the people, it was in confidence let out to the commissioner himself with thorough clearness and precision. When the leaders of the Covenant party, whether by pocket-picking or otherwise, became acquainted with the secret instructions sent by the king to Hamilton, they must have seen to a thoroughly satisfying extent the policy that was to be dealt out to them. There are two ends

[1] Burnet's House of Hamilton, 64. [2] Ibid., 66.

as to which there may be clearness in State papers. The one is as to the superficial acts to be done, the other is as to the policy or public morality which these acts are intended to further. Clearness in the former is more usual than it is in the latter. But it may be said of the king's instructions, that they were eminently clear in both. It is rare to find State papers so responsive to the inner secrets of the heart. These instructions reveal everything, and would be spoilt by explanation or comment. After some practical suggestions about Edinburgh and Stirling Castle, which, if there should be immediate fighting, might be counted as lost, there follows:—

"And to this end I give you leave to flatter them with what hopes you please, so you engage not me against my grounds; and in particular, that you consent neither to the calling of Parliament nor General Assembly until the Covenant be disavowed and given up—your chief end being now to win time, that they may not commit public follies until I be ready to suppress them. And since it is, as you well observe, my own people which by this means will be for a time ruined, so that the loss must be inevitably mine; and this, if I could eschew, were it not with a greater, were well. But when I consider that not only now my crown but my reputation for ever lies at stake, I must rather suffer the first, that time will help, than this last, which is irreparable. This I have written to no other end than to show you I will rather die than yield to those impertinent and damnable demands, as you rightly call them; for it is all one as to yield, to be no king in a very short time." "*Postscript.*—As the affairs are now, I do not expect that you should declare

the adherers to the Covenant traitors until, as I have already said, you have heard from me that my fleet hath set sail for Scotland, though your six weeks should be elapsed. In a word, gain time by all the honest means you can, without forsaking your grounds."[1]

These instructions came along with a crowd of announcements about the money likely to be made available by the Chancellor of the Exchequer—the numbers of men that it will bring into the field—the ordnance, ships, and other materials for a great war at the command of the king. And in all this it is curious to observe a characteristic deceptiveness that must have comprehended self-deceit; for one would imagine from these letters that Charles I. had a genius for adjusting means to ends in warfare, and could take an exact estimate of all the details of the military position of the nation. The history of the war shows that he was signally deficient in these qualities, and that he had not the kingly art of gathering around him those who were expert in them.

That the Covenanters were aware of these instructions, came out in the General Assembly, where Hamilton had to meet the accusations founded on them. He did this so as to show himself an apt pupil in the school of politics, in which his instructions were a practical lesson. In the course of vindicating his master against certain charges, he, with the instructions just quoted in his possession, and evidently, from the identity of phraseology, also in his view, said: "The next false, and indeed foul and devilish surmise wherewith his good subjects have been misled is, that

[1] Burnet's House of Hamilton, 55, 56.

nothing promised in his majesty's last most gracious proclamation—though most ungraciously received—was ever intended to be performed, nay, not the Assembly itself; but that only time was to be gained, till his majesty by arms might oppress this his own native kingdom,—than which report hell itself could not have raised a blacker and falser."[1]

For whatever judgment is passed on the subsequent acts of the Covenanters, their knowledge of the passages just cited must be part of the material.

And now there comes a new act in the drama, as we see it in the face of the external history of the times. It is all a surprise, as if the curtain rose on novelties brought to perfection in secret behind the scenes—unless, indeed, the passages just quoted be held to afford a glimpse of the inner mechanism. There is now to be an entire surrender. A free General Assembly is to be held, and then a free Parliament. The Service-book, the Book of Canons, the Court of High Commission, the Five Articles of Perth, are all to go. The bishops are to be handed over for trial by the Assembly. The king and his Court are virtually to become Covenanters, and all their opponents are to be pardoned and embraced in amity. The "ample instructions" for this sweeping resolution were addressed to Hamilton with the date of the 10th of September, and begin in this promising fashion:—

"You shall in full and ample manner, by proclamation and otherwise, as you shall see cause, declare that we do absolutely revoke the Service-book, the Book of Canons, and the High Commission. You shall likewise discharge the practice of the Five Articles of Perth,

[1] Burnet's House of Hamilton, 94.

notwithstanding the Act of Parliament which doth command the same; and in the said proclamation you shall promise in our name, that if in the first Parliament to be held the three Estates shall think fit to repeal the said Act, we shall then give our royal assent to the said Act of repeal.

"You shall likewise declare that we have enjoined and authorised the Lords of our Privy Council to subscribe the Confession of Faith, and bond thereto annexed, which was subscribed by our dear father, and enjoined by his authority in the year 1580; and likewise have enjoined them to take order that all our subjects subscribe the same."[1]

Before opening a new chapter in the intellectual and religious history of the struggle, as developed in the deliberations of the Estates and of the General Assembly, let us give a glance to the shape and character of the formidable forces of a material kind to which the dispute was giving an organisation. On the side of the Covenant the first force to enter the field was the mob, and it was, within its own low and rather ineffective sphere, formidable throughout. A Scots mob has ever been a monster signally destitute of good taste, and, it may be said also, of good feeling. It has all the bad qualities of an English mob somewhat intensified. There is, when it is really let loose and acting on its own impulses, the same want of reverence either for existing or for fallen greatness. It has the same exultation in heaping degradation, scorn, and low practical sarcasm on its victim. But it has also the same abstinence from the knife, the free use of which makes the mobs of other

[1] Burnet's House of Hamilton, 72, 73.

communities so much more picturesque. Principal Baillie, writing under the influence of the exciting scenes he daily saw, says: "I think our people possessed with a bloody devil far above anything that ever I could have imagined, though the mass in Latin had been presented."[1] Yet the tumults were bloodless save for occasional bruises, and we hear of no life taken in any of them.[2]

Such violence as there was, however, was not entirely the work of the vilest of the people. About the feminine rabbling described in the note below it is said: "This tumult was so great that it was not thought mete to search either in plotters or actors of it, for numbers of the best quality would have been found guilty."[3] This touches an accusation profusely cast on a stratum of society higher than the usual elements of a mob. It was said that people of wealth

[1] Letters, i. 23.

[2] Of the scenes occurring throughout the country, the following may be taken as a fair specimen, pretty distinctly described: "Mr John Lindsay, at the bishop's command, did preach; he is the new Moderator of Lanark. At the ingoing of the pulpit it is said that some of the women, in his ear, assured him that if he should touch the Service-book in his sermon, he should be rent out of the pulpit. He took the advice, and let that matter alone. At the outgoing of the church about thirty or forty of our honestest women, in one voice, before the bishop and magistrates, did fall in railing, cursing, scolding, with clamours on Mr William Annand—some two of the meanest was taken to the tolbooth. All the day over, up and down the streets where he went, he got threats of sundry in words and looks. But after supper, while needlessly he will go to visit the bishop, who had taken his leave with him, he is not sooner on the causeway at nine o'clock, in a mirk night, with three or four ministers with him, but some hundreds of enraged women of all qualities are about him with nieves [viz., fists] and staves and peats, but no stones. They beat him sore. His cloak, ruff, hat, were rent. However, upon his cries, and candles set out from many windows, he escaped all bloody wounds, yet he was in great danger even of killing."—Baillie's Letters, i. 21.

[3] Baillie's Letters, i. 21.

and respectable position gave countenance to these outrages. No doubt they did so, and there is as little doubt that there was a strong social pressure to force in adherents to the Covenant. The pressure to this end was of a kind that, practised in the present day, would be called unreasonable, unjust, perhaps cruel. The majority were strong and resolute. But the sacred cause was not left to chance influences. The Tables, like thorough men of business as they were, organised a staff to complete the work. The central body, sitting in Edinburgh, received reports from counties. In each county a local authority received reports from the several parishes as to the completeness of the organisation for obtaining signatures. The parochial committee saw that each adult member of the parish signed, or otherwise gave his adhesion to the Covenant. The organisation for exacting allegiance to this standard was as complete as that which any well-regulated state establishes for the collection of its taxes. Over the districts where the organisation had the mastery, no one worth claiming as a partisan was permitted to evade the pledge. Those who would not yield had to seek refuge in the districts where the Cavaliers prevailed. In knowing that such a thing was accomplished, we know that a powerful apparatus of oppression must have been at work; and yet, in comparison with other instances where a political project has been carried by force, this stands forth as honourably exempt from the stain of blood—there was no slaughter until the sword was drawn in honest warfare.

The Highlanders through the vast western districts where Argyle's influence prevailed, of course followed their chief with the fervid vehemence of their race.

The Covenanters found eminent success where they were less sanguine—in Inverness, Ross, and the other districts to the north of the Moray Firth. In Sutherland "it was professed by all that it was the joyfullest day that ever they saw, or ever was seen in the north; and it was marked as a special mark of God's goodness towards these parts, that so many different clans and names, among whom was nothing before but hostility and blood, were met together in one place for such a good cause; and in so peaceable a manner as that nothing was to be seen or heard but mutual embracements, with hearty praise to God for so happy a union."[1] In Inverness the town's drummer or crier proclaimed the obligation of signing the Covenant, with the alternative of heavy penalties against all who were obstinate or slothful; and it was said, in excuse for so open a threat, that the officer, being accustomed to denounce legal penalties against defaulters, had followed routine and custom on the occasion without reflecting on the peculiar character of the demand.[2]

Scotland was not at that time at the absolute command of Edinburgh, or any other centre. Separate districts had organisations of their own, by which, under any weaker government than the monarchy and the Estates, they would have grown up into separate principalities, like German grand-duchies and margraviates. The greatest proprietor in such a district, of course, had the chief influence. The heads of houses were not always isolated in their separate fortified mansions. They had their winter hotels in the head burgh of the county, or other chief central town; and here, around the chief lord of the district, a social circle

[1] Rothes's Relation, 106. [2] Ibid., 107.

was created, which had in it something of the nature of a court.[1]

Perhaps the most isolated and compact of these half-independent communities was that district which owned the city of Aberdeen for its capital. It was peculiarly endowed with the characteristics of a seat of government. It was a cathedral city; and it had its universities, around which gathered a group of scholars who were not all ecclesiastics. Many of them—such as the Johnstons, the Forbeses, Baron, and others—had a reputation for scholarship widely spread over Europe. The commerce of the district had made it affluent for the period. Many rich landed proprietors had their town residences there, and among these was the Marquess of Huntly, the most powerful subject in Scotland. The map shows the district to be naturally separate from the rest of Scotland, stretching far eastward into the German Ocean. It had thus the means of uninterrupted communication with the European continent by sea. In the minds of the zealous Protestants there were horrible suspicions as to the doctrinal poison thus brought into the land, not only in the shape of Popish books and symbols of idolatry, but of seminary priests and other zealots, who, on their arrival, were protected and encouraged in their devilish labours by the pestilent Popish house of Huntly.[2]

[1] The most attractive specimens of these provincial town hotels will be found in Maybole, in Ayrshire, the capital of the old bailliary of Carrick, where the Kennedys held sway.

[2] That these suspicions were not utterly visionary, may be seen by a glance at a very curious and instructive volume, printed by the Spalding Club, with the title, "A Brieffe Narration of the Services to three Noble Ladyes, by Gilbert Blakhal, Priest of the Scots Mission in France, in the

The community of this district felt themselves strong enough to venture on a policy of their own, and it was not that of the supplicants and the Covenant. Nor do they appear to have favoured Laud's innovations. They desired to see things remaining as they were—the bishop with his limited powers, and the old Book of Common Order with its restricted ritualism. At all events, the majority among them refused to accept the Covenant, and were condemned as schismatics, who must be brought to order. With Huntly and his Popery they had as little in common; but a political alliance with him was natural, and in a manner inevitable. Looking to his Lowland domains alone, he was the greatest feudal lord of the district. That north-eastern district had been from time immemorial inhabited by a people of an expressively Teutonic character. Up in the mountains towards the west, Huntly had a following of a totally different origin. We have seen how his house strove with that of Argyle for predominance among the people of that old Highland state for which Donald of the Isles fought at Harlaw. The statute law aided the aggregation of the Highlanders under great leaders, by the Act which required them to find some one who would be surety

Low Countries, and in Scotland, 1631-1649." He was not merely the spiritual champion of his faith, but he led the life of the man of temporal warfare who is on duty within the enemy's lines, and carries his life in his hands, to be preserved only by courage, ceaseless vigilance, and a skilful command of weapons. Whatever one may say of the creed to which he adhered, it is impossible to withhold admiration from the deep sincerity and the sacrifice of all personal considerations which could lead him and others of his set through the succession of perils and hardships which pursue each other in his narrative—a narrative all the more valuable that it was not intended for publication—it was only prepared as an articulate statement of his services to those who were concerned about them.

for their conduct, otherwise they were counted "broken men" and outlaws. Besides their Highland territories, the Gordons had large estates in the northern Lowlands; and the chiefship of their Highland following gave them an influence far beyond the boundary of their domains. The Highlander could not be absolutely trusted to withhold his furtive hand from the flocks of his chief's friend, but it was better to be the friend than the enemy. On the whole, the peace, prosperity, and security of a large district, inhabited by a frugal and industrious people, depended on the way in which "the Cock of the North" handled the Highlanders, whether friends or foes.

This great house, as we have seen, had its calamities; but it had an inherent vitality which ever restored it, and, like the house of Brandenburg, every considerable period of years brought enlargement to its powers and possessions. The battle of Glenlivet in 1594 brought it through a formidable crisis, and dealt a blow to the rival house of Argyle. It had other ways of strengthening its hands less dignified than victorious warfare, and very characteristic of the spirit of legal formality, which gave a technical colour to so many transactions, both great and small. The house of Gordon was noted for its frequent practice of exacting "bonds of manrent." Such a document, in return for favour and protection, covenanted that he who signed it should follow the banner of Huntly and take the name of Gordon. If he ever used any other name in any matter of business or otherwise, he engaged to pay a penalty for so doing; and he was to take part with his patron in all feuds and disputes. The rise and progress of such a house, in the contests with

rivals and the absorption of smaller powers, must have made a story of stirring and tragic interest, had it happened to be plainly and minutely told by one well instructed in the details of what he records.[1]

In such a narrative it would not always be found that the aggrandising house was the aggressive or greedy party in all quarrels and contests. It enters the stage as the kindly paternal mediator—perhaps as the chivalrous redresser of wrong, or the generous assistant of the stricken or oppressed—but, as the nature of prosperous houses or states is, the end is ever to help on the waxing wealth and power of the house of Huntly.

For following up this special local history in its details there is no room here; but perhaps allowance may be made for a brief account of an incident in the progress of the house, which happens to be the latest of special moment at the time we have now reached.

The tragedy called "the Burning of Frendraught" has to the northern peasant as distinct a tragic place in history as the Sicilian Vespers or the night of St

[1] Such, though but for a short period, is the account of the family, mixed up with other matters in the history of the Troubles, by the town-clerk of Aberdeen, occasionally cited in this volume. Accounts so thoroughly minute and distinct as his can only, however, be given by contemporaries of the events recorded, and the story of a family or a district so told would require to be taken up by successive recorders. The best local history of the Gordon family and their allies and retainers is to be found in the 'History of the Earldom of Sutherland,' by Sir Robert Gordon. There is a book in two volumes 8vo (1726-27), called 'The History of the Ancient, Noble, and Illustrious Family of Gordon,' by William Gordon. This book, as it calls itself a family history, and is rare, stands in high esteem among collectors, and is purchased by them at a large price. But for the purposes of a reader it is utterly worthless. It draws nothing from family papers or local information, and is a mere compilation from the received histories of Scotland at the time of its publication.

Bartholomew may have for those whose historical horizon is wider.

Of the house of Crichton, which we have seen rising to great splendour in the middle of the fifteenth century, one branch had made a settlement northward of the Grampians. They held the lordship of Frendraught, in the heart of the country of the Gordons, to whom they were becoming formidable rivals. Huntly was a great favourite with King James; but Charles thought his power too great to belong to a subject, and it was the policy of the Court, without any acts of direct hostility, to unnerve his strength. The best way to accomplish this was by cherishing and encouraging the Crichtons, so as by Court influence to bring them as near as might be to a balance with the local feudal power of the house of Huntly. Some threatening incidents of feud had occurred between the two houses just before the period we have now reached. In a small battle between the Crichtons and a party of Gordons, an important member of this family, Gordon of Rothiemay, was killed. The clan was stirred, and vengeance demanded. On a calculation of chances, the Crichtons felt that it would go hard with them. The Marquess of Huntly—then a man about seventy years of age—took on himself something like the state and policy of a prince who was too great to be quarrelsome or vindictive. He desired that the feud might be "compounded;" and in the end the Crichtons agreed to pay to the bereaved widow and children of Rothiemay an "assythement," as it was called, of fifty thousand merks. Such a settlement was not considered degrading or unbecoming. The Gordons would in the course of their vengeance have swept away the

sheep and cattle of the Crichtons, and the fine bought off the harrying. This settlement was adjusted while all parties were enjoying the hospitalities of Huntly's Castle of Strathbogie. When the Crichtons set off to return home they felt a difficulty. In a recent squabble one of them had shot the son of Leslie of Pitcaple. The young man lay on his deathbed, and the father swore that he would have vengeance. Nor could Huntly's influence prevail to avert it. In fact it was known that he lay in wait with an armed band to attack Frendraught's small party on their way home. The old marquess would not have it said that his guest departed from his hearth to encounter danger, so that a party of the Gordons was sent as a convoy towards Frendraught. It was commanded by the heir of the house of Gordon, the young Lord Aboyne, and he was accompanied by the son of the slain Laird of Rothiemay.

The party were too strong to be attacked, and the Crichtons reached their own fortress in safety. Here it was pressed on the Gordon leaders that they should accept a reciprocity of hospitality, and remain all night beneath the roof of the Crichtons. The lady of the house, it was said, urged this with kind vehemence—it was so pleasant to see old enemies reconciled, and the exchange of hospitality would so becomingly crown the new friendship.

The party yielded to these entreaties, spent a jovial evening, and went to rest. It was observed afterwards that Crichton had that night under his roof the heir of his great feudal enemy, and the son of the man for whose slaughter he had agreed to pay a heavy penalty.

All the Gordon party were lodged in the square

tower of Frendraught, and no others slept in that tower. The lowest storey was vaulted with stone, and in the arch there was a round hole for passage by a ladder to the floor above. This and other two floors were constructed of timber. We are told exactly how the Gordon party were distributed over these three wooden floors, Aboyne occupying the lowest, along with Robert Gordon and his page, "English Will."

At midnight the woodwork of the tower was seen to blaze up and light the country for miles round. Next morning nothing remained of the Gordon family but calcined morsels of flesh and bone, hardly to be distinguished from the ashes of the timber.

Then arose the immediate question, Was this calamity an accident? The Gordons at once said no—it was planned; gunpowder and combustibles had been piled in the vault below for the occasion. All the fastenings of the tower had been especially secured, and the Lord and Lady Frendraught looked on from without, casting gibes at the victims as they vainly struggled against the iron bars of the windows. If this was true, the deed went far beyond the licence of feudal vengeance. There was a story of a feudal chief who, finding himself unable with due hospitality to entertain a body of guests who were thrown upon him, burnt down his hall while his guests were in the hunting-field. Here, too, the ancestral hall had been sacrificed; but it was for the murder of those who had not only partaken of the sacred bread and salt, but had fallen into the trap in the performance of an act of chivalrous generosity.

Whatever might be the wish of the Court to foster the Crichtons, such an incident could not pass un-

noticed. So far as the accumulation of a heap of technical documents, curious to the forensic antiquary, can attest the sincerity of the powers to fathom the mystery, that testimony stands still on record. The Frendraught cause of 1630 is one of the earliest in which we have, besides the testimony of witnesses, the pleading of counsel aiming at a display of forensic eloquence.[1] A commission sent to inspect the premises reported that the fire could not have been accidental, but was raised by design within the building. Justice seemed so earnestly at work that for a short period the Lord Frendraught was in prison, but he was not brought to trial. Certain retainers of his, however, were marked off as victims; and letters of fire and sword were issued, that they might be hunted through the land. The chief among these, named Meldrum, was found guilty of the act, hanged, and quartered. He seems to have been concerned in the deed; but a certain shadow of suspicion lies on a turn in the process which brings him into a quarrel with his old master Frendraught as his motive for the deed.

This great tragedy was handed down in the history of the north from generation to generation, even to the present day. It was sung in the hexameters of Arthur Johnston and in the rhyming ballads of the common people. The public feeling against the Crichtons waxed strong. It inflicted on them a strange mysterious punishment, which seemed like a blight or judgment of a higher power, yet was in

[1] A considerable collection of these documents from the records of the Justiciary and the Court of Secret Council will be found in the appendix to the Spalding Club edition of Spalding's 'Memorials of the Troubles.'

reality a simple and natural consequence of human conduct. They were deserted. It was a natural result of this doom that they should become the victims of "the broken clans" of Highland reivers. Against these the deadliest enemies to each other among the Lowlanders would for the time combine, but no one would take part with the Crichtons. The marauders hovered round them like vultures round a wounded man. They came from all parts of the mountain districts, and met at Frendraught as at a common centre where the business of all lay. A field of prey so inviting tempted the MacGregors from the far-off banks of Loch Katrine, and they appeared under their leader Gilderoy, a robber-chief of European celebrity.[1] Under such wasting operations the fortunes of the Crichtons gradually crumbled. In a few years their name disappears from local history; and when the last of them took the losing side at the Revolution, he appears to have had little property to be forfeited.

Such is the history of the latest of those rivals whose power and wealth were absorbed into the house of Gordon. Meanwhile, however, the old marquess, tired of his useless contest with his enemy in Edinburgh, returned home and died of a broken heart, as

[1] Gilderoy figures in the English biographies of highwaymen and robbers, by Captain Brown, Alexander Smith, and others. The outlaw chief who with his army of reivers would devastate a province, is there reduced to the model of the Dick Turpins, Tom Kings, and other heroes of the English road, and graduates in crime according to the 'Newgate Calendar' formula. He is a disobedient son and a Sabbath-breaker. He falls in debt. He keeps company with naughty boys and naughtier girls. Through their blandishments and his own ungoverned passions he is led to the commission of a domestic outrage, and so takes to the highway. Gilderoy, after defying the power of the Crown and of his enemies, was hanged in 1636. His seizure was one of the feats of the great Argyle himself, and was deemed worthy of public thanks as a national service.

it was said. Spalding, the annalist, gives an affectionate and pleasant sketch of his character. The style of the town-clerk is generally modelled on the terms of the bonds and dispositions which he had to record; but having before him a noble and chivalrous form, and describing it truly as he beheld it, he becomes insensibly an artist: "This mighty marquis was of ane great spirit; for in time of trouble he was of invincible courage, and boldly bore down all his enemies triumphantly. He was never inclined to war or trouble himself; but by the pride and insolence of his kin was divers times driven in trouble, whilk he bore through valiantly. He loved not to be in the laws contending with any man, but loved rest and quietness with all his heart; and in time of peace he lived moderately and temperately in his diet, and fully set to building and planting of all curious devices. A well-set neighbour in his marches, disposed rather to give than to take a foot of ground wrongously. He was heard say he never drew sword in his own quarrel. In his youth a prodigal spender; in his old age more wise and worldly, yet never counted for cost in matters of honour. A great householder—a terror to his enemies, whom with his prideful kin he ever held under great fear, subjection, and obedience. In all his bargains just and efauld, and never hard for his true debt." [1]

[1] Memorials of the Troubles, i. 73.

END OF THE SIXTH VOLUME.

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